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U. S. DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE

Washington 25, D. C.

November 29, 1943

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Foreword

1. Authority. The Regulations of the United States Department of Agriculture are issued pursuant to Revised Statutes, Section 161 (derived from an Act of July 27, 1789, and other acts establishing the executive Departments), which provides that:

> "The head of each Department is authorized to prescribe regulations, not inconsistent with law, for the government of his Department, the conduct of its officers and clerks, the distribution and performance of its business, and the custody, use, and preservation of the records, papers, and property appertaining to it." (18)

The present volume was issued July 1, 1936.

2. Responsibility for Maintenance. The Executive Secretary to the Administrative Council, Office of the Secretary, is responsible for seeing that the Regulations are kept current and in good order. Each staff office will prepare needed amendments to regulations for which it is primarily responsible. Proposed additions or amendments will be submitted for concurrence or recommendation of all staff offices concerned with the subject matter involved.

It is desirable also that bureaus recommend changes which their operations indicate are advisable.

3. Amendments.

a. Effective Date. The date on which a new or revised regulation was approved, together with the amendment number, will be shown at the bottom of the page. Signatures will not be shown. Unless a different effective date is shown, the regulation will be effective immediately.

b. Marking System.

(1) Additions or revisions in the text will be marked by single asterisks (*) at the beginning and at the close of each addition or revision. In other words, any new or revised material will be inclosed between two single asterisks.

(2) When material is deleted, the deletion will be marked by triple asterisks (***).

c. Explanatory Notes. Since the asterisk markings will make clear what changes have been made by an amendment, explanatory notes usually will not be necessary. When an explanatory note is needed, it will be issued in the form of a cover sheet.

d. Printing on Both Sides. When an amendment requires more than one page, it will be printed on both sides of the sheet.

e. Recording Amendments. As they are received, amendments should be recorded by amendment number on the pages provided for this purpose.

Foreword (cont.)

4. Citations. Numbers in parentheses, e.g. (18) in Paragraph 1 of this Foreword, refer to paragraphs in Laws Applicable to the United States Department of Agriculture, 1935 edition and 1941 supplement.

5. Index and Table of Contents. Supplements to the Index and Table of Contents will be issued from time to time.

6. Distribution. Regulations and amendments will be supplied by the Executive Secretary to the Administrative Council, but only to one central distribution point in each bureau. Requisitions are not required unless binders are to be supplied. If empty binders only are wanted, the requisition should be sent to Central Supply Division, otherwise to the Administrative Council. Form AD-14 should be used.

7. Memoranda and Circulars. Departmental and staff office memoranda and circulars which relate to the Regulations are to carry cross references to the specific regulations concerned. The number of each such memorandum or circular should be noted immediately after the regulation to which it relates.

Marvin Jones — War Food Administrator

Claude R. Wickard — Secretary

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UNITED STATES DEPARTMENT OF AGRICULTURE
Office of the Secretary
Washington 25, D. C.

June 24, 1943

AMENDMENT NO. 166 TO THE REGULATIONS OF THE DEPARTMENT

The Regulations listed below have become obsolete for one reason or another and accordingly are hereby canceled. In many cases the subject matter is covered by statutes, Civil Service Rules, Personnel Circulars, or other instructions issued since the Regulations were originally published. Regulation 3225 is superseded by Regulations 1838 and 4117. Regulation 3416 is canceled because it is a duplication of Regulation 1824.

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Regulations 2121,2157, and 2412, which are active, have been reprinted on the attached sheet without change in order to permit removal of the old sheets on which these Regulations originally appeared.

Paul H Appleby
Under Secretary

DEPARTMENT OF AGRICULTURE

WASHINGTON

February 12, 1941

To the Bureaus and Offices of the Department:

The Regulations of the Department were promulgated effective July 1, 1936, to govern the administrative, personnel, fiscal, and property transactions of the various bureaus and offices of the Department as authorized in Section 161 of the Revised Statutes as amended (U. S. Code, Title V, Section 22).

This transmittal letter explains how the Regulations are organized, numbered, and supplemented. It also prescribes the procedure by which the Regulations may be amended.

Organization and Method of Numbering

The Regulations are divided into four major parts designated Administrative, Personnel, Fiscal, and Property. Each of the parts is divided into sections, the sections into chapters, and the chapters into paragraphs which constitute the individual Regulations.

A modified form of the Dewey Decimal System of Library Classification has been followed in numbering the Regulations. The parts, sections, and chapters are therefore divided into nine or less subdivisions and each Regulation bears a four digit number. The first digit indicates the part; the second, the section; the third, the chapter; and the fourth, the paragraph. The number assigned is based upon the subject and indicates the location of the Regulation in the book; for example, the number "4225" shows that this Regulation is in the fourth part, "Property"; the second section, "Management of Property"; the second chapter, "Property Supervision"; and the fifth paragraph, "Misuse of Property."

In addition to the Regulations and this transmittal letter, the Regulation book includes a table of contents, showing the method of organization and listing each Regulation by number and title; sheets for recording amendment numbers and dates; and a detailed subject matter index.

Citations

The numbers in parentheses following certain Regulations refer to sections in the volume entitled "Laws Applicable to the Department of Agriculture." When necessary or applicable, citations are also made to statutes not included in this volume and to decisions of the Comptroller General.

Supplements

The Regulations may be supplemented through Secretary's Memoranda, Budget and Finance Circulars, Personnel Circulars, Office of Plant and Operations Memoranda, and Informational Memoranda to Chiefs of Bureaus and Offices. A cross reference to the specific Regulation which is being supplemented will be included in such memoranda and circulars in order that appropriate notation of the document number and date may be inserted after the Regulation. Cross references to the Department Regulations, when applicable, will also be included in any bureau reproduction of the supplemental media.

DEPARTMENT OF AGRICULTURE

WASHINGTON

February 12, 1941

AMENDMENT TO THE REGULATIONS

Amendment No. 117

A revised transmittal letter for the Regulations of the Department appears on the reverse of this page and the succeeding page. It explains how the Regulations are organized, supplemented, and amended. This sheet should be substituted for the transmittal letter issued April 23, 1936, and for the page entitled "Method of Numbering Parts, Sections, Chapters, and Paragraphs."

Grover B. Hill

Acting Secretary.

Amendments

The Regulations are revised as necessary through the issuance of serially numbered amendments. The reasons for the changes will accompany the amendments.

Proposed amendments may be initiated by any of the bureaus or offices of the Department. The various staff agencies of the Department (Office of Personnel, Office of Budget and Finance, Office of Plant and Operations, etc.) are responsible for the subject matter in those Regulations which pertain to their work.

The Office of Budget and Finance will continue, for the time being, to be responsible for the editing, coordinating, indexing, and clearing of all proposed amendments to the Department Regulations. The clearance function consists in obtaining the approval of the staff agencies responsible for the correctness of the subject matter of any proposed amendment, including the Solicitor's Office; in submitting the proposed amendment to the Secretary for signature; and in preparing the approved amendment for duplicating. The Office of Budget and Finance also is custodian of the master set of Regulations.

These Regulations should be carefully studied and observed by all employees of the Department. Each employee to whom a Regulation book has been assigned should see that his copy is kept current through the insertion of amendments and cross references to supplemental documents.

Grover B. Hill

Acting Secretary of Agriculture.

METHOD OF NUMBERING PARTS, SECTIONS, CHAPTERS, AND PARAGRAPHS

The method of arranging and numbering the subjects in these Regulations is based upon the Dewey Decimal System of Library Classification devised by Mr. Melville Dewey. This system divides the Regulations into four parts: Administrative, 1; Personnel, 2; Fiscal, 3; Property, 4. This number is the first digit of the four-digit number used to identify each paragraph.

These four parts in turn are divided into sections, the number varying with each part but in no case exceeding nine. The first part, on Administration, is divided into 8 sections; the second part, on Personnel, into 8 sections; the third part, on Fiscal matters, into 4 sections; and the fourth part, on Property, into 4 sections. Thses sections are indicated by the second digit in the four-digit number.

Sections, in turn, are divided into chapters, running from 1 to 9. These chapter numbers are the third digits in the four-digit number.

Chapters are divided into paragraphs, the number of which varies but in no case exceeds 9.

This arrangement has numerous advantages. It is possible to add any number of amendments anywhere in the Regulations without destroying the numbering of the remainder of the volume. Each amendment may be placed exactly where it logically should be located. The subject determines the exact location; for example: 4123 indicates that it is in the fourth part, on Property; the first section, on Acquisition of Property; the second chapter, on Exchange; and the third paragraph, on Exchange of Passenger-carrying Vehicles.

It is believed that this system will prove to be logical, simple, and flexible.

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FUNCTIONS

1111. Agencies of the Department.- The Department of Agriculture was created by Act of Congress approved May 15, 1862 (12 Stat., 387). Until 1889 it was administered by a Commissioner of Agriculture.

By Act of February 9, 1889 (25 Stat., 659), the powers and duties of the Department were enlarged. It was made the eighth executive department in the Federal Government, and the Commissioner became the Secretary of Agriculture.

The work of the Department is supervised and directed by the Secretary, who is assisted by an Under Secretary and an Assistant Secretary. There is also a general administrative staff, consisting of a Director of Research, Director of Extension Work, Director of Information, Director of Personnel, Director of Finance, and Solicitor who help to coordinate the various activities of the Department.

The Director of Research cooperates with bureau chiefs and other officials of the Department in the development and coordination of the research programs and policies of the entire Department. The work of the Department in specialized research for more or less well defined practical objects and the fundamental research for the discovery of basic facts and principles are both reviewed by him, and he cooperates with bureau chiefs and other officials for the purpose of utilizing the facilities of the research work of the several bureaus. A part of his duties consists of administration of the Federal Acts relating to work of the State and Territorial experiment stations. In this connection one of his functions is to assist in coordination of research among the State experiment stations and the work of these stations with similar work of the Department.

Functions

The Director of Extension Work is charged with the responsibility of making available through the State colleges of agriculture economic and scientific information applicable to local conditions. It is his duty to formulate and establish plans and policies concerning extension work. He is required to coordinate the extension activities of the several bureaus of the Department, of the other departments of the Government, and of the State colleges. He has charge of the administration of the extension work of the Department and is consulted by and advises bureau chiefs with reference to appointments of extension workers.

The Director of Information has charge of the information work of the Department. He coordinates the information policies and activities (1) of the several bureaus of the Department, both in Washington and in the field, and (2) of those of the Department with those of other Federal and State agencies engaged in agricultural work. He advises with bureau chiefs in the development and execution of publishing and general information programs, both popular and technical in character, and determines the issuance of information. It is his function to establish information policies including those involved in scientific, administrative, and popular publications, in radio programs, in service to the press, and in addresses by principal officials.

The Director of Personnel is the chief personnel officer of the Department. He is the general agent and representative of the Secretary of Agriculture in personnel, salary classification, organization, in-service training, safety work, and related matters and exercises general oversight and supervision of personnel and related activities. He conducts the business of the Department with the Civil Service Commission and where personnel matters are concerned with other agencies.

The Director of Finance and Budget Officer is vested with full responsibility for the financial affairs of the Department, including the acquisition, distribution, expenditure, audit, and accounting of all funds at the disposal of the Department, whether appropriated, transferred, or otherwise acquired; the initiation, review, approval, or alteration of systems, methods, procedures, policies, and regulations pertaining to the management of the fiscal affairs of the entire Department, including the Field Service; the representation of the Department before the Budget Bureau, Treasury Department, General Accounting Office, both houses of Congress, and any other federal or non-federal agency in the conduct of the financial business of the Department; the general management and coordination of procurement activities of the several bureaus and offices of the Department, including systems of transfer, inventory, use and disposition of expendable and non-expendable property; the conduct of such other affairs not herein described which comes under the jurisdiction of the Office of Budget and Finance; and the rendering of special or regular reports as required.

The legal work of the Department of Agriculture is performed under the supervision and direction of the Solicitor. The Solicitor acts as the legal adviser to the Secretary of Agriculture. He is charged with the preparation and supervision of all legal papers to which the Department is a party, and of all communications to the Department of Justice, and to the various officers thereof, including United States attorneys. He is required to examine and approve, in advance of issue, all orders and regulations promulgated by the Secretary under statutory authority. The Solicitor represents the Department in all legal proceedings arising under the various laws entrusted to the Department for execution. He also prosecutes applications of employees of the Department for patents in instances where their inventions may be used in the public interest.

The Chief of the Division of Operation is the custodian and has charge, for the Department, of the management of the buildings and other facilities occupied or used by the Department of Agriculture in the District of Columbia, the telephone and telegraph service, the mails and files and post office, the motor truck and other service units.

DEPARTMENT OF AGRICULTURE

WASHINGTON

May 13, 1938

AMENDMENT TO THE REGULATIONS

Amendment No. 60

The growth of the Department during the past few years has created a need for the realignment and restatement of functions which have gradually changed during that time, especially with regard to the executive staff office of Budget and Finance. To give full recognition to this development, there appears on the reverse side of this sheet a change in the regulations of the Department as follows:

Substitute the statement on the reverse of this sheet for the eighth part of paragraph 1111. Agencies of the Department.

H A Wallace

Secretary.

He is also the real estate officer of the Department and acts as the personnel and administrative officer for the internal operation of the Office of the Secretary.

In addition to these administrative units, the Department contains the following bureaus, each of which is supervised by a chief who reports directly to the Secretary:

1. Agricultural Adjustment Administration
2. Bureau of Agricultural Economics
3. Bureau of Agricultural Engineering
4. Bureau of Animal Industry
5. Bureau of Biological Survey
6. Bureau of Chemistry and Soils
7. Bureau of Dairy Industry
8. Bureau of Entomology & Plant Quarantine
9. Office of Experiment Stations
10. Food and Drug Administration
11. Forest Service
12. Grain Futures Administration
13. Bureau of Home Economics
14. Library
15. Bureau of Plant Industry
16. Bureau of Public Roads
17. Soil Conservation Service
18. Weather Bureau

A "chief of bureau" is the administrative head of each bureau or office.

For administrative purposes the separate units within a bureau or comparable unit in the District of Columbia, the heads of which report directly to the chief of bureau, are designated as "divisions."

In the discretion of chiefs of bureaus, where the organization arrangement permits, units within divisions, as designated above, are known as "sections". (See also Paragraph 2312.)

Functions

Each chief of bureau is responsible for the operation of his bureau, both in Washington and in the field, and shall maintain such contact with the field organization as may be necessary to insure proper administration and coordination of the work.

The division of investigations, office of personnel, is authorized to make periodical inspections of field offices and stations of the Department. All employees will cooperate with the investigators to the extent of giving such information as may be requested and of permitting free access to books, records, and other documents.

Reports of such inspections will be referred to chiefs of bureaus or offices concerned for consideration and appropriate action. In cases where reports reveal misconduct on the part of employees, fiscal or other irregularities, inefficiency, lack of proper records, or other delinquencies of a serious nature, the Secretary shall be advised in writing of the action which has been or will be taken by the chief of bureau to correct the situation and prevent similar occurrences in the future. Where disciplinary action is warranted, appropriate recommendations shall be submitted promptly. (128, 129, 131)*

* Numbers in parentheses refer to sections of Laws Applicable.

Functions

1112. Changes in Regional, State, or Similar Field Offices. In order to facilitate coordination of field activities, advance Departmental clearance should be obtained when any agency of the Department contemplates a change in the location of a regional or state office, or similar major (as distinguished from local) field headquarters, or contemplates the establishment of new or the closing or merger of existing facilities in this classification. In view of the concern which the Office of Land Use Coordination, the Office of Personnel, and the Office of Budget and Finance, and, at times, other general staff offices have in organization matters of this type, the nature of the action planned, the reasons for the change, and such other information as may be of interest from the standpoint of general Departmental considerations should be embodied in a memorandum for the Chairman of the Administrative Council of the Department who will refer the matter to the proper staff agencies and arrange otherwise, as may be necessary, for Departmental consideration.

1113. Delegation of Authority. Chiefs of bureaus are granted authority to authorize any legal and proper activity or expense the authorization of which is not reserved by law or regulation to the Secretary or other officer. This is a general grant of authority in addition to specific grants given elsewhere in laws, orders, or regulations, to provide sufficient authority for chiefs of bureaus to carry out their responsibilities.

1114. Regulations; Memoranda; General Departmental Circulars.

1. *Notwithstanding any other provisions of these regulations, the Regulations, administrative procedures, and requirements of the Department will be understood to apply throughout its component agencies including the War Food Administration unless specifically otherwise provided by the Secretary or the War Food Administrator within their respective administrative spheres. All Secretary's memoranda, numbered or unnumbered, issued on or before June 30, 1943, unless obviously inapplicable, will be construed as applicable to all component agencies of the Department of Agriculture unless otherwise specifically provided by the War Food Administrator.*

2. *Effective July 1, 1943, there shall be a new series to be known as General Departmental Circulars. This series will supersede the former function of Secretary's memoranda of prescribing rules, regulations, and instructions implementing and supplementary to the formal Department Regulations. These issuances will be approved by the Secretary and the War Food Administrator or by duly authorized officers. Also, effective July 1, 1943, the Secretary's memoranda series, numbered and unnumbered, issued after June 30 1943, will be understood to apply only to those parts of the Department of Agriculture under the immediate supervision of the Secretary. The present Administrator's memoranda series by the War Food Administrator will have a similar corresponding function.*

3. *After the issuance of this regulation, all amendments or revisions of the Regulations of the Department will be for the joint approval of the Secretary and the War Food Administrator.*

1112. Changes in Regional, State, or Similar Field Offices. In order to facilitate coordination of field activities, advance Departmental clearance should be obtained when any agency of the Department contemplates a change in the location of a regional or state office, or similar major (as distinguished from local) field headquarters, or contemplates the establishment of new or the closing or merger of existing facilities in this classification. In view of the concern which the Office of Land Use Coordination, the Office of Personnel, and the Office of Budget and Finance, and, at times, other general staff offices have in organization matters of this type, the nature of the action planned, the reasons for the change, and such other information as may be of interest from the standpoint of general Departmental considerations should be embodied in a memorandum for the Chairman of the Administrative Council of the Department who will refer the matter to the proper staff agencies and arrange otherwise, as may be necessary, for Departmental consideration.

DEPARTMENT OF AGRICULTURE

WASHINGTON

November 19, 1940

AMENDMENT TO THE REGULATIONS

Amendment No. 111

A new Regulation, designated "1112. Changes in Regional, State, or Similar Field Offices," appears on the reverse side of this sheet and is promulgated effective immediately.

This Regulation provides for advance Departmental clearance of changes contemplated by agencies of the Department with respect to the location of their regional, state, or other major field offices.

The following additions should be made to the Table of Contents and Index:

Table of Contents:

1112. Changes in Regional, State, or Similar Field Offices

Index:

Regional offices, clearance of changes in - - - - 1112
Field headquarters, clearance of changes in - - - 1112
State offices, clearance of changes in - - - - - 1112

Paul H. Appleby

Acting Secretary.

COOPERATIVE ACTIVITIES

1121. Cooperative Agreements.-

1122. Official Seal of the Department.- The official seal of the Department of Agriculture is in the custody of the officer in charge of the Secretary's file room, which officer is responsible for the safeguarding and proper use of it. No employee of the Department shall affix this seal to any document nor shall any employee reproduce the imprint of the seal without specific authority of that officer.

Requests for the affixing of the seal to documents shall be submitted to the officer in charge of the Secretary's file room in writing and signed by chiefs of bureaus or by other responsible administrative officers designated by chiefs of bureaus for the purpose.

The official seal shall be used only to verify completed official documents; it shall not be affixed to blank or incomplete documents. (130)

DEPARTMENT OF AGRICULTURE

WASHINGTON

March 30, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 21.

Although this Department has had an official seal for many years the use of it has been governed by custom rather than regulations. As more specific regulations concerning its custody and proper use appear desirable, the regulation appearing on the reverse side of this sheet is promulgated effective immediately. All copies of the Regulations should be amended accordingly.

The following additions should be made to the Table of Contents and to the Index:

To the Table of Contents:

"1122. Official Seal of the Department."

To the Index:

"Authentication of documents, seal for - - - - - - - - - - - - - - - - - 1122
Documents, authentication of, with seal - - - - - - - - - - - - - - - - - 1122
Official seal of the Department - - - 1122
Seal of the Department, official - - 1122"

H A Wallace

Secretary.

GENERAL PRINCIPLES

1211. Correlation of Department Information.- To correlate information arising in different bureaus, and to make it more effective, the director of information shall have general charge of all informational work of the Department. He shall supervise the issuance of publications, press releases, and radio releases to meet the current needs of farmers, homemakers, and other groups. Often releases will be prepared on a commodity basis and will of necessity deal with the work of several bureaus. Chiefs of bureaus should cooperate in supplying facts necessary to make commodity releases reflect the programs of the Department as a whole. This will require prompt attention to requests for information if the Department is to meet the needs of those it is expected to serve.

The director of information is authorized to cooperate with bureau chiefs in coordinating all phases of the Department's work that affect the informational programs and will keep policies and procedures responsive to current needs. He shall allocate printing funds and otherwise manage the Department's informational work in a way most effectively to fulfill the Department's obligations to the public.

1212. Cooperation with State Extension Editors.- The director of information will coordinate the informational programs of the Department with those of the States. This will necessitate clearing much of the Department's information through State editorial offices, so that it may be adapted to local conditions. Publications and releases to newspapers and radio stations should be regionalized as far as possible.

1213. Field Information.- Field officers of the Department, subject to their bureau regulations, are authorized to give out information under the following categories: (1) Progress reports

which have only a local interest; (2) Reports of regulatory work; and (3) Market quotations and weather forecasts. All statements of a policy nature and reports of important developments of regional or national importance must be submitted to Washington for release. To insure that field information is sent only to publications desiring it, mailing lists must be revised at least once every six months.

All members of the Department, especially field employees, should call to the attention of their bureau chiefs significant developments, problems, and special needs for information from the Department. These reports should be transmitted to the director of information for his guidance in shaping informational programs of the Department to meet the needs of agricultural and other groups.

1214. Compensation for Articles and Speeches.- Articles prepared officially are the property of the Government. Authors must not accept payment for official articles published in outside journals, magazines, or newspapers. Articles prepared outside of office hours may be sold subject to the restrictions on outside work. (See also Paragraph 1548.)

Employees may not accept honoraria for addresses delivered as part of their official duties. Employees may accept honoraria for addresses delivered on their own time, provided the Department has not incurred any additional expense for travel or subsistence while the speaker is away from his official duties.

1215. Endorsement of Commercial Products.- Information developed by the Department is available to everyone, but naturally the Department wishes to guard against the misuse of such information. All employees should exercise caution in

making statements that may be used in promoting commercial products or enterprises including those tested or tried out in laboratory or field tests. There is no objection to giving the facts or to supplying illustrations upon request but this must be done with the strict understanding that no effort will be made by the company to show in advertising or otherwise, either directly or by implication, that the Department endorses the product in question.

Employees shall not allow the use of their names as endorsers of commercial products.

1216. Distribution of Photographs.- When it is established that departmental photographs are to be used in the public interest, such photographs may be furnished free to cooperators, publishers of newspapers, magazines, etc., but they should be sold in all other instances. As a general rule only one print of each photograph should be furnished without charge, but in exceptional cases a limited number of prints from a single negative may be given to cooperators, publishers of newspapers, magazines, etc. In most instances all photographic items, other than glossy prints for reproduction purposes, shall be offered only on a sales basis. Extreme care should always be exercised in granting requests for free prints. (See also Regulations 4425 and 4427)

DEPARTMENT OF AGRICULTURE

WASHINGTON

February 15, 1939

AMENDMENT TO THE REGULATIONS

Amendment No. 85.

There appears on the reverse side of this sheet an addition to the Regulations of the Department, which has been designated as regulation 1216, and entitled "Distribution of Photographs." Such an addition appears desirable from a departmental standpoint in that it establishes a general procedure for the distribution of photographs.

The provisions of the regulation are promulgated effective immediately.

The following additions should be made to the Table of Contents and to the Index:

Table of Contents:

Add: "1216. Distribution of Photographs"

Index:

Add: "Photographs, distribution of - - - - - - - - - - 1216"

H A Wallace

Secretary.

INTERVIEWS AND PRESS RELEASES

1221. Current Information.- To provide the interested public with information coming from Department work at a time when it will be most useful it is often necessary to release such information through the press and through radio stations. The Press Service is the official medium through which material prepared in popular form is released to all branches of the press. The Radio Service is the medium through which material is released to radio broadcasting stations and networks. It shall be the duty of every bureau of the Department to furnish information to members of the press service and radio service for timely dissemination to the public. All releases, talks, or interviews issued by either of these agencies shall be approved by the chief of the bureau concerned or by someone designated to represent him.

Representatives of the bureaus will be responsible for the accuracy of the statements in releases. Chiefs of the press service and radio service will be responsible for choosing the most effective method of presenting the facts and for distribution of releases. The director of information will adjust any differences of opinion that may arise and will, when necessary, submit releases involving fundamental policy to the Secretary for approval. Each bureau shall cooperate fully with the Office of Information.

Because of the importance of photographs, charts, maps and other illustrative materials in the press such items shall be regarded as a part of the Department's information service and shall be handled in essentially the same manner as press material. Bureaus shall cooperate with the press service in furnishing suitable illustrations.

1222. Interviews.- Representatives of newspapers, magazines, and radio stations and networks often wish to obtain, by interview, information direct from specialists or officials who are best qualified to supply accurate details: such informal interviews are encouraged, subject to the following requirements, designed to avoid embarassing the Department:

(a) If Department policy or the work of more than one bureau is involved the employee will be responsible for having the material properly approved.

(b) If the material in no way involves Department policy or the work of more than one bureau, the rules and regulations of the originating bureau will govern.

(c) To guarantee that all media have an equal opportunity to obtain information regarding new significant developments in all phases of the Department's work and especially to obtain previously unpublished results of scientific research and economic studies, such material shall be issued only through regular Department channels or, with official approval, in a suitable outside periodical.

(d) Employees of the Department should not discuss, in informal interviews, topics such as political and budgetary matters which under existing laws or regulations could not be announced in official releases.

ADDRESSES, LECTURES, AND SPEECHES

1231. Prior Approval Required.

1. Any regularly scheduled address or radio talk that involves policies of the Department or the work of two or more bureaus, or of other departments, must be approved by the Director of Information prior to delivery. One copy of each address or speech will be sent to the Office of Information for reference and filing. (See also Regulation 1232.)

2. * Members of the Department may take part, in their official capacities, in commercially sponsored broadcasts only when properly authorized. Broadcasts over national networks must be authorized in advance by the Director of Information; or, in the case of broadcasts over individual stations or regional networks, by the proper administrative officer of the agency concerned, under rules prescribed by the Director of Information. Emergency broadcasts, such as forest fire warnings, may be made without advance approval. *

1232. Lectures.

1. No employee of the Department shall become a member of the faculty of any educational institution or deliver a regular course of lectures at such an institution, without the approval of the Secretary secured through the chief of the bureau in which such employee is engaged.

2. Employees invited to deliver lectures or address meetings for which service they will receive compensation in the form of honoraria or traveling expenses or both must do so as private persons, although entitled to use their official titles. It is the policy of the Department to have such work done on an official or private basis but not both. If the lecture or address is made in an official capacity, the Department will pay the traveling expenses but if the lecture or address is made in a private capacity the Department will not pay any additional expenses in connection with it. (80, 81) (See also Regulation 1512.)

ADDRESSES, LECTURES, AND SPEECHES

1231. Prior Approval Required.- Any regularly scheduled address or radio talk that involves policies of the Department or the work of two or more bureaus, or of other departments, must be approved by the director of information prior to delivery. One copy of each address or speech will be sent to the Office of Information for reference and filing. (See also Paragraph 1232.)

No member of the Department shall in an official capacity take part in any commercially sponsored radio broadcast, save for such emergency purposes as quick issuance of warnings on weather conditions such as impending storms, frosts, etc., or on the need for the public attention to forest fire prevention.

1232. Lectures.- No employee of the Department shall become a member of the faculty of any educational institution or deliver a regular course of lectures at such an institution, without the approval of the Secretary secured through the chief of the bureau in which such employee is engaged.

Employees invited to deliver lectures or address meetings for which service they will receive compensation in the form of honoraria or traveling expenses or both must do so as private persons, although entitled to use their official titles. It is the policy of the Department to have such work done on an official or private basis but not both. If the lecture or address is made in an official capacity, the Department will pay the traveling expenses but if the lecture or address is made in a private capacity the Department will not pay any additional expenses in connection with it. (80, 81) (See also Paragraph 1512.)

RADIO BROADCASTS

1241. Contacts with Radio Broadcasting Companies.- All dealings with officials of radio broadcasting networks for the purpose of arranging for broadcasts of information arising from the work of the Department shall be made by the director of information, the chief of the radio service, or field employees designated by the director of information.

All dealings with officials of individual radio stations for the purpose of arranging for regularly scheduled broadcasts of information arising from the work of the Department shall be made by the director of information, chief of the radio service, or field employee designated by the director of information; except that field employees of the Bureau of Agricultural Economics and Weather Bureau shall arrange for broadcasts of market news and local weather forecasts with managers of stations in cities where these employees are located. To avoid conflicts between Department units for radio time, chiefs of these bureaus shall notify the director of information of schedules arranged. Employees may, of course, consistent with other regulations, accept invitations for participation in radio programs.

MOTION PICTURES

1251. Preparation and Distribution of Motion Pictures.- The division of motion pictures, Extension Service, will make and distribute -- or supervise the making and distribution of all departmental motion pictures. All projects for motion pictures to be made by or for any bureau of the Department shall be submitted on forms prescribed for the purpose to the director of extension work.

In order to promote economy and efficiency, and to develop an effective motion picture program, the following rules will be strictly observed:

(a) Once a year not later than January 15, each bureau chief will submit to the director of extension work a statement of the subject matter or problems with which the bureau is concerned that would be most important to place before the public during the year.

(b) On the basis of these statements, the director of extension or his representative in consultation with representatives of the bureaus will prepare a production program.

(c) Subjects or problems not included in this program may be submitted as they arise, but careful consideration should be given to the relative importance of the subject matter so that only worthwhile projects are proposed.

(d) Except in emergencies, no motion picture will be made until a definite and complete outline has been submitted and approved. Time should be allowed for the preparation of the scenario, its submission for the criticism of all concerned, and its approval by the director of extension work.

(e) All bureaus are expected to cooperate in furnishing subject matter supervision when requested, for any motion picture touching upon its activities

that has been accepted for production, although the picture may be sponsored by another agency.

(f) A subject matter specialist, responsible for the accuracy of the subject matter, should be designated to work with the motion picture director whenever practicable. The motion picture director shall be responsible for the presentation of the subject matter in motion picture form. In the matter of cinematography, the opinion of the photographer as to the feasibility of taking the subject, proper lighting, etc., shall be final.

(g) So far as practicable, scenes not essentially related to a special region should be staged in or near the District of Columbia.

(h) Films should, whenever practicable, be nonsectional and nontechnical, so that they will be adapted for wide distribution and if possible be of service to the entire Department.

(i) Copies of films may be loaned, rented, or sold if the interests of the Department are furthered by doing so. In making such loans, rentals, or sales, educational institutions and associations for agricultural education not organized for profit shall have preference. When deemed advisable, the Department may manufacture positive film for nongovernmental agencies with the film stock and chemicals supplied by the purchaser, and sell the finished product for a price to cover actual cost of manufacture plus 10 percent. All moneys received from such rentals or sales shall be covered into the Treasury of the United States as Miscellaneous Receipts.

(j) When deemed advisable, the Department may, under proper safeguards, arrange to place its negatives in the custody of a commercial motion-picture company for the printing of positive films for the use of the Department or to be sold to authorized purchasers at a fair price per foot of positive film.

(k) Motion-picture projection machines and motion-picture cameras may be purchased only with the approval of the director of extension work. Purchases of such equipment will be reported to the division of motion pictures, which will keep a record of the equipment available in the Department. When the original purpose for which the equipment is purchased has been served, such property shall be transferred to the division of motion pictures. The purpose of this regulation is to make motion-picture equipment available for loan as needed.

(l) All shipments of motion-picture film from the city of Washington shall be made from the motion picture laboratory; all incoming shipments should be consigned to the laboratory; all motion-picture cameras, projectors, film and other motion-picture equipment shall be held in the custody of the laboratory.

(m) Expenses for travel and subsistence in connection with the taking of all motion pictures will be borne as a general rule by the bureaus for which the pictures are made. Additional expense up to the total cost, will be borne by the bureaus for the making of pictures that have little or no value for extension purposes. (172)

ORIGIN OF PUBLICATIONS

1311. Origin of Publications.- The general public does not benefit from research work done in the Department until results of this work are disseminated. Publications are an inexpensive method of getting these results to the people in a form that may be preserved for future reference. Ordinarily publications originate in the bureaus when a specific piece of work has been completed. At times, however, the need for certain publications becomes evident through requests from the public for information. When in the opinion of the director of information there is sufficient need for a publication not already available or the revision of an existing publication, he will confer with the proper bureau chief or chiefs as to the advisability of such preparation. If it is decided that a new publication is necessary the bureau chief or chiefs shall have it prepared within a reasonable time.

TYPES OF PUBLICATIONS

1321. Serial Publications.- All bulletins, circulars, and reports of the Department except those listed in paragraph 1322 shall be included in the following six series, all but the last-mentioned of which must be of octavo size:

(a) Farmers' Bulletins.- Farmers' bulletins should be concise, pertinent statements, in non-technical style regarding subjects of broad interest coming properly within the range of the Department activities. Recommendations and directions applicable in modern agricultural practices are especially desired. These bulletins should be short, preferably not more than 16 pages.

(b) Technical Bulletins.- Technical bulletins should contain reports and results of research and experimentation, including variety and fertilizer tests, crop and milk yields, and breeding results; economic and other comprehensive surveys; and technical discussions or compilations (exclusive of purely statistical data and bibliographies). Ordinarily these will be intended primarily for specialists, research workers, teachers and advanced students engaged in the scientific phases of agriculture and related work or interested in the acquisition or dissemination of fundamental, technical information underlying the development of agriculture and related subjects.

(c) Statistical Bulletins.- Statistical bulletins should contain statistics relating to agricultural commodities or conditions. They include, insofar as possible, statistics of production, movement from the farm, receipts at principal markets, reshipments, farm and market prices, exports and imports, production in foreign countries, and foreign market prices. In addition to the statistics for the year given in each bulletin, comparable data may be given for as many years in the past as it seems desirable to include for use in noting trends.

(d) Circulars.- Circulars should carry in brief form semi-technical material of a nature intended primarily for special groups or for limited or temporary distribution. In general, semi-technical papers describing methods, apparatus, equipment, procedure, observations, diseases, insects, parasites, new varieties, crops and crop culture and marketing for specialized operators or growers, and any special conditions or phases of agriculture requiring specific discussion should be issued as circulars.

(e) Leaflets.- Leaflets should be concise and popular in nature, and must not exceed 8 pages. They should carry in brief form and simple language information that can be easily understood and readily applied by the reader. Control measures, formulas for insecticides and fungicides, cultural directions, planting suggestions, hints on care or breeding of livestock, and similar subjects suitable for concise, popular treatment are topics suggested for this series.

(f) Miscellaneous Publications.- Miscellaneous publications should include those publications of the Department of a miscellaneous nature which do not fall within the divisions of farmers' bulletins, technical bulletins, statistical bulletins, circulars, or leaflets, or which are of other than octavo size.

Farmers' bulletins, technical bulletins, statistical bulletins, circulars, and leaflets will carry the approved standard cover design for the series.

As a general rule it is intended that the highly technical contributions of limited scope should be published in the Journal of Agricultural Research; that the more general discussions and the more complete reports of investigations be published as technical bulletins; that the less technical discussions, summaries, and other contributions designed for special distribution be included in the circular series, while the popular

condensed discussions for the use of the general public be included in farmers' bulletin and leaflet series.

1322. Publications other Than Department Series.- The following publications will not be included in the departmental series:

(a) The annual reports and other publications and reports required by statute;

(b) the Yearbook, Yearbook Separates, North American Fauna of the Bureau of Biological Survey, Seed and Plant Introduction Inventory of the Bureau of Plant Industry, and the "lists" of the Office of Information, which are specialized serial publications;

(c) the periodical publications of the Department which have been approved by the Bureau of the Budget, as follows: Agricultural Situation, Clip Sheet, Consumer's Guide, Crops and Markets, Experiment Station Record, Extension Service Review, Forest Worker, Journal of Agricultural Research, Monthly Weather Review, Public Roads, Soil Conservation, Snow and Ice Bulletins, and Weekly Weather and Crop Bulletin;

(d) the Service and Regulatory Announcements;

(e) office circulars, unnumbered publications, and any specific circulars or publications not suitable for the numbered series. At least two copies of each of these should be forwarded to the document collection of the main library at the time of issue.

1323. Yearbook of the Department.- The Yearbook of the Department shall contain a general report of the operations of the Department and such papers, accompanied by suitable illustrations, as are in the opinion of the Secretary, specially suited to interest and instruct the farmers of the country. It shall also contain selected agricultural statistics.

1324. Journal of Agricultural Research.- Papers for the Journal of Agricultural Research shall be concise reports of the essential data and conclusions of original research of direct or indirect importance to agriculture. Historical introductions, as well as bibliographies, must be kept to a minimum. In general, an article should not be more than 12 printed pages in length.

1325. Service and Regulatory Announcements.- Service and regulatory announcements shall contain such notices of judgment, decisions, and other information as may be necessary in the enforcement of regulatory acts. These announcements shall be printed in octavo size, bearing the name of the bureau, the number of the publication, the date of issue, and the words "Service and Regulatory Announcements." Service and regulatory announcements will be issued only as may be required to comply with the law. Issuance of Service and Regulatory Announcements will not supersede the publication, in other forms, of notices of judgment or quarantine, and decisions, orders, or other announcements requiring immediate publication or which are necessary for the proper enforcement of the regulatory acts. When individual publications are essential they will be printed in octavo size.

1326. Manuals and Handbooks.- When it is proposed to publish a voluminous manual, handbook, bibliography, or treatise relating to any phase of the agricultural industry, the matter should be submitted to the director of information for his approval before actual preparation of the manuscript is undertaken. An outline should also be prepared for his information indicating in general terms the proposed treatment of the subject, the probable size of the publication, the number and character of illustrations, and such other information regarding its scope and purpose as will permit intelligent consideration of this matter.

1327. Indexes and Reference Lists.- To facilitate the use of the publications of the Department, indexes and classified reference lists of all those that are considered desirable for reference purposes will be issued from time to time.

PREPARATION OF PUBLICATIONS

1331. Character of Papers Submitted for Publication.- Bureau chiefs should submit for publication only such papers as have a definite value in the work of the Department. The director of information shall determine whether manuscripts submitted justify the expense of publication. He is authorized to disapprove manuscripts that can not be justified because of low quality, faulty organizations, excessive cost, duplication of material already published, infringement upon the work of other agencies, unsuitability of the material, or insufficient need for the proposed publication.

Manuscripts prepared by persons not connected with the Department will not be accepted for publication unless it can be clearly shown that their publication and distribution would be financially justified and a valuable contribution to the Department's program of work or in the public interest. The publication of these manuscripts must further be recommended by the chief of the bureau directly concerned before approval can be granted by the director of information.

1332. Preparation of Manuscripts.- To facilitate the publication of manuscripts and to effect economies in printing, the following instructions should be followed:

(a) Authors will prepare their manuscripts with the utmost care to avoid errors in data, statements, or conclusions; to include only essential matter; and to arrange the material in the form considered final by the authors. Authors should consult workers on related subjects in other bureaus before finally submitting their manuscripts for publication, and all differences of opinion should be settled in advance. A statement showing the workers in other bureaus who have been consulted shall be incorporated in the letter transmitting each manuscript to the director of information.

Either the author or the bureau editor may submit a manuscript informally to the director of information for suggestions and comment before it is edited and transmitted formally.

(b) After the author has carefully prepared his manuscript it must be submitted to the bureau editor for editing and checking. If major changes are made in the manuscript by the bureau editor, the author shall be given the opportunity to note such changes. Any points in controversy between the author and bureau editor should be decided by the bureau chief before the manuscript is sent to the Office of Information.

(c) Clean copy facilitates prompt publication and reduces the likelihood of errors; therefore those sections of the manuscript containing extensive additions or corrections should be recopied by the originating bureau. Copy should be sent flat, the folios numbered consecutively, typewritten double space unless reprint, and each page should begin with a paragraph. One side of paper only should be used. Duplicate copy of reprint must be furnished when possible if both sides are to be used. Tabular matter should be on separate pages.

(d) Upon receipt of a manuscript by the Office of Information all bureaus will be notified and given an opportunity to see it if desired. It must be returned to the Office of Information with any criticisms or recommendations within three days after its receipt unless an extension of time is granted by the director of information.

(e) After the manuscript has been examined by all the bureaus desiring to do so, it will be editorially reviewed and rechecked in the division of publications of the Office of Information. Comments made or queries raised on manuscripts will be referred to the originating bureau for consideration. Opportunity will also be afforded the originating bureau to check any redrawn illustrations

and to note any extensive editorial changes made in the division of publications.

1333. Submission of Manuscripts.- All manuscripts for publication should be submitted to the director of information, accompanied by a statement showing:

(1) Title of manuscript and series in which it is recommended that it be published.

(2) That the chief of the originating bureau has carefully considered the manuscript and recommends its publication.

(3) Authority under which the work reported was done.

(4) Need and purpose of the publication.

(5) That the information contained is unpublished or not available.

(6) That statistics and computations have been verified and are correct.

(7) Timeliness of the publication.

(8) Suggested distribution of the publication.

(9) Number of copies recommended for printing for sale by the Superintendent of Documents.

(10) Illustration Certificate. (See also Paragraph 1334.)

It must be established that the publication of a manuscript is necessary before the Department sends it to the printer. The chief of the bureau must hold himself responsible for the information contained in the manuscript. The summary of reasons will enable the director of information

to give more intelligent consideration to manuscripts. When there are unreconciled differences of opinion among bureaus regarding the scientific soundness of the work discussed, or the proper interpretation or application of the same in agricultural practice, such manuscripts shall be referred to a committee appointed for the purpose by the Secretary. Differences of opinion involving contents of the manuscript or editorial matters will be decided by the director of information.

The Style Book of the Government Printing Office is the standard for all branches of the Government and should be followed in the Department.

1334. Illustrations.- Only illustrations that are germane to the text will be used. To prevent duplication of work illustrations to accompany manuscripts should not be submitted by the bureaus to the section of illustrations of the division of publications, for final preparation. They should first be editorially reviewed in the division of publications.

All finished lettering should then be done in the section of illustrations unless the bureau can do it properly. All photographs should be submitted to the Office of Information unmounted. On the back of each illustration there should be given the plate or figure number and title of the accompanying manuscript. Enclosed with the illustrations there should be a sheet containing a typewritten list of all the legends. In addition the legends for text figures should be inserted at those places in the text where the illustrations are to appear.

Every precaution should be taken in handling all kinds of illustrations. It is particularly important that charts, graphs, and colored illustrations shall be correct in every detail when

submitted. The various figures appearing in the illustrations should be shown in correct proportion and relation; in colored illustrations the colors should be correct and the legends should properly describe the subject matter of the illustrations.

When submitting a manuscript that includes illustrations, each bureau chief will certify in writing to the Secretary that he has examined the illustrations and that they are necessary and relate entirely to the public business.

1335. Covers for Publications.- Excepting such publications as may be considered to be ephemeral in nature, those of 48 pages or over shall carry covers of heavier stock. If, in the opinion of the chief of the bureau, any publication of less than 48 pages deserves a cover for some special reason, the matter should be presented to the director of information for decision.

1336. Material for Outside Publication or for Addresses.- Subject to the limitations upon the performance of outside work prescribed in the section on Conduct (Paragraph 1548), and to such restrictions and regulations as bureau chiefs may prescribe for members of the bureaus under their jurisdiction, employees of the Department may prepare articles and text books for publication and may deliver addresses to radio (Paragraph 1231) or other audiences.

If the material treats in any way of the policies of the Department or the work of other bureaus or departments, it must be submitted by the chief of the originating bureau to the director of information for approval before it is offered for publication or the address is delivered.

Preparation of Publications

One copy of each article or written address bearing upon the work of the Department and prepared for outside publication or delivery should be sent to the Office of Information for reference at least 10 days in advance of the date of publication or delivery. Where it is impossible to abide by this ruling the Office of Information should be notified of the circumstances so that provisions may be made to give special attention to the paper when it arrives. When no formal manuscript is prepared an abstract or outline of the talk should be sent to the Office of Information under the conditions mentioned above.

EDITING OF PUBLICATIONS

1341. Corrections and Alterations in Proof.- Every effort must be made to reduce to a minimum the charge against the printing fund due to authors' corrections and alterations in galley and page proofs. The necessity for alterations in proof would be practically avoided if all manuscripts or copy were carefully prepared, edited, revised, or otherwise perfected before submission for printing. Only such changes as are absolutely necessary should be made in the proof. When a manuscript has advanced to galley or page proof, it is too late to undertake to improve the language, form of expression, capitalization, paragraphing, etc.

1342. Requests for Reprints of Publications.- All requests for reprints of Department publications should be submitted to the director of information with a memorandum signed by the chief of the bureau, showing

(1) the circumstances indicating the present need for additional copies;

(2) that the material is reasonably up to date and requires no revision;

(3) that the same material has not been incorporated in a later publication.

Ordinarily the bureaus will initiate action for reprints of technical material and the division of publications will initiate action for reptings of farmers' bulletins and leaflets. (1972)

1343. Numbering and Changes in Revisions and Reprints.- When a bulletin or circular is to be reprinted without change or modification of text, there will be no change in title, number or date. Corrections of typographical errors, the substitu-

tion of a new title page in a farmers' bulletin or leaflet and the addition of the "Organization List of the Department" may be made and will not be considered as a revision.

When changes consist simply in bringing the information up to date and when the text matter remains practically the same, the old number and title should be retained. A footnote should call attention to the fact that the publication is "Revised _____ ___ 19__," or "Slightly revised _____ ___19__," depending on the extent of the revision.

When a fundamental or material change is made in text or the publication is rewritten, a new title and number should be assigned. A suitable statement should explain that it "supersedes" the publication which it replaces.

In transmitting manuscripts for revised or rewritten bulletins or circulars to the director of information, bureau chiefs should suggest whether the publication should carry the old title and number, or a new title and number.

1344. Reference in Department Publications to Commercial Institutions or Private Enterprises Prohibited.- Generally it is contrary to the policy of the Department to refer by name in any of its publications to commercial institutions, commercial products, or private enterprises. The purpose of this policy is to avoid the use of the Department as a medium for advertising. To this end, and in order to avoid any complications that later might arise, when any branch of the Department enters into cooperation with such an institution or enterprise it should be explicitly understood at the time the work is commenced that no reference will be made by name or otherwise to the cooperating institution or enterprise, or to any individual connected therewith, in anything published by the Department.

1345. Editorial Committee of the Journal of Agricultural Research.- The approval of manuscripts for publication in the Journal of Agricultural Research is vested in a joint committee appointed by the Secretary and the Association of Land Grant Colleges and Universities. The editorial supervision of Journal manuscripts is performed by the office of information.

1346. Purchase of Reprints from Outside Publications.- When recommended by a chief of bureau and approved by the director of information the Departmental appropriation for printing and binding may be used to purchase separate reprints of scientific and technical articles prepared by employees in their official capacity and published in periodicals and journals.

Such purchases shall be restricted to separates of general interest and definitely necessary to the bureau concerned in carrying forward its projects or in answering correspondence. It should rarely be necessary to purchase more than 200 copies of a single separate.

The cost of separates purchased will be charged against the printing allotment of the bureau concerned. The Department will not pay for composition costs, but will pay the cost of running a separate off the press after the article has been set in type for incorporation in a journal. The printing funds of the Department may not be used to purchase covers for separates. Separates purchased by the Department must not be mailed with "Author's Compliments." They may be mailed under frank only when they bear a stamp on the face reading essentially as follows:- "Purchased by the United States Department of Agriculture for official use." If a separate is mailed as an enclosure with an official letter, such separate need not be stamped.

In rare cases, a proper appropriation of the bureau concerned may be used, with the prior approval of the director of information, to purchase reprints of articles prepared by private individuals, or by Government employees as private individuals and not officially, so that the Government has no proprietary interest therein and no control over the right of publication; provided, that the articles are already published when the determination or agreement to purchase reprints is made and also that the articles have been prepared without any understanding, promise, or suggestion that such a purchase would be made.

DEPARTMENT OF AGRICULTURE

WASHINGTON

January 14, 1939

AMENDMENT TO THE REGULATIONS

Amendment No. 83.

There appears on the reverse side of this sheet a revision of regulations 1345 and 1346, entitled "Editorial Committee of the Journal of Agricultural Research," and "Purchase of Reprints from Outside Publications," respectively.

The revision of regulation 1345 consists of a rearrangement of the text only; no change in the purport of the regulation is involved. The revision of regulation 1346 consists of the inclusion of a statement relative to the purchase of reprints of articles prepared by other than Government employees.

The provisions of the regulations, as revised, are promulgated effective immediately.

Inasmuch as the titles of the regulations are included in the Table of Contents and appropriate items appear in the Index, no changes in these sections are necessary.

H A Wallace

Secretary.

PRINTING OF PUBLICATIONS

1351. Matters Relating to Printing.- All matters pertaining to style of type, headings, and paper for Department publications shall be decided by the director of information in conference with officials of the Government Printing Office. (1993, 1989)

1352. Department Decisions on Typographical Style.- The director of information, after consideration of suggestions by interested specialists, will establish uniform practice in typographical style in Department publications involving such matters as the use and spelling of words and terms, abbreviation, capitalization, hyphenation, and punctuation. In those cases in which good usage seems to favor forms different from those authorized by the Style Manual of the Government Printing Office, the director of information will confer with the Public Printer regarding the official adoption of such forms. Announcement will then be made of those forms that have been officially accepted.

1353. Printing Requisitions.- The director of information will make and sign all requisitions on the Public Printer for printing and will consuct all negotiations with the Public Printer regarding all forms of Department printing. No communication or papers pertaining to work chargeable to the printing fund will be recognized by the Government Printing Office officials unless they bear the stamp of the Office of Information.

1354. Rush Orders for Printing of Forms.- The quantity of blank forms and other necessary printed material on hand should be maintained uniformly so as to avoid the necessity for submitting rush orders for printing. A period of at least 3 months should be allowed for the delivery of stock forms.

The submission of requisitions for printing involving payment of the 20 percent additional charge for rush work is a serious and costly affair, deranging the plans of the Government Printing Office and making impossible the orderly handling of the great volume of printing work.

All printing requisitions involving the payment of the 20 percent additional charge shall be accompanied by a full explanation as to the cause and necessity for the rush work. The Office of Information will approve the 20 percent additional charge for rush printing only to meet most urgent situations.

1355. Field Printing.- The Joint Committee on Printing of the Congress annually authorizes the Department to do such field printing as may be urgent or necessary elsewhere than in the District of Columbia, for the exclusive use of any field service outside of the said District, provided the same is within the limitations set by the committee for expenditures for this purpose.

When any bureau requires printing in the field, under such authorization, a memorandum stating the necessity or urgency of the printing and the estimated cost, shall be addressed to the director of information, who may, if a proper charge against the appropriation, approve the same, and notify the chief of the bureau and the division of accounts, Office of the Secretary, in writing, of the approval.

When the work is completed, a voucher in favor of the firm doing the work, certified, approved, and accompanied by samples of the work shall be forwarded by the bureau to the director of information, who shall approve the same, if correct, detach samples of work, and forward it to the bureau accounting service, Office of the Secretary, for suitable record and transmission to the Chief Disbursing Officer of the Treasury Department for payment.

Printing of Publications

1356. Mimeographed Material.

1. All material intended to be mimeographed or otherwise mechanically duplicated must be approved by the chief of the bureau in which it originates, or by someone whom he designates as his representative for this purpose.

2. Material that is to be sent out to the public, or that involves the work of other departments, bureaus, or offices, or matters of Department policy is subject to review by the Director of Information.

1357. Central Performance of Duplicating and Photographic Reproduction Work.

1. The Washington offices of the bureaus of the Department shall have their duplicating and photographic reproduction work performed by the central duplicating and photographic plant, unless the official designated by the Secretary to be responsible for the centralized services determines that an exception is necessary for the economical and effective operation of an agency.

2. The bureaus shall be billed for duplicating and photographic services on the basis of standard unit costs which will include labor, materials, equipment, and other necessary expenses. Schedules of cost estimates shall be published periodically. (Public Law 674, 77th Congress.)

1358. * Orders on the Public Printer for Congressional and Other Documents. *

1. * The Department initiates periodically requisitions on the Public Printer for the following publications:

Agriculture Appropriation Bill
Bills
Comptroller General's Decisions
Congressional Documents
Congressional Record
Daily Business Calendars of the House and Senate
Federal Budget
Hearings
Official Register
Postal Guide
Reports
Slip Laws
Standardized Government Travel Regulations *

2. * When ordered on a "periodic requisition" on the Public Printer the above publications are classified as Printing, or Printing and Binding, and as such must be charged to the Printing and Binding Appropriation. The "periodic requisition" orders for the above publications are the consolidated known requirements of the bureaus of the Department for these publications and are included at the time of printing with the order of the original requisitioning agency. The Department is charged only for the costs of printing and binding. The Office of Information is responsible for the placing of the Department's "periodic requisition" with the Public Printer. *

3. * Additional copies of the above publications ordered from the Superintendent of Documents are classified as Published Materials. (See Regulation 1918.) *

1356. Mimeographed Material.- All material intended to be mimeographed or otherwise mechanically duplicated must be approved by the chief of the bureau in which it originates, or by someone whom he designates as his representative for this purpose.

Material that is to be sent out to the public, or that involves the work of other departments, bureaus or offices, or matters of Department policy is subject to review by the director of information.

1357. Supplies Used in Duplicating, Addressing, and Photographic Work.- Reimbursement by the bureaus and offices of the Department for supplies used by the Office of Information in duplicating, addressing, and photographic work will be accomplished by transfer of bureau funds to the miscellaneous expense appropriation of the Department. Bills for such material will be rendered monthly by the central stores section. Each bureau will be charged its proper share of the gross value of the stock consumed as represented by the supplies actually delivered to it in the form of completed work.

DISTRIBUTION OF PUBLICATIONS

1361. Supervision of Distribution.- The Office of Information shall manage the distribution of publications of the Department, although the actual mailing of such publications will take place at the Government Printing Office.

To mail publications to an individual, a request, approved by the chief of the bureau or person designated by him, and accompanied by the necessary addressed frank, should be made on the Office of Information. This request will be forwarded to the office of the Superintendent of Documents, where the publication will be mailed. (1977)

1362. Preference in Distribution.- In the distribution of the regular publications of the Department (excepting farmers' bulletins, emergency circulars, or circulars of general interest, which are issued in large editions and are distributed by regular mailing lists and to miscellaneous applicants), preference should be given to libraries, educational and scientific institutions, the press, exchanges, State and Federal officials connected with agriculture, and those persons rendering tangible service to the Department. Miscellaneous applications will be filled as long as the supply lasts after which applicants should be informed that the publications can be obtained from the Superintendent of Documents, Government Printing Office, Washington, D. C. at the quoted prices. In general requests for publications received from Members of Congress should be referred to the Office of Information for attention. An account of the farmers' bulletin allotments of each of these officials is kept in that office, and it is necessary that the publications furnished to them be charged against their accounts. If occasionally a bureau furnishes bulletins to Members of

Congress, the Office of Information should be notified promptly so that the proper charge may be made against the Congressional allotment.

No private individual or corporation will be sent more than 50 copies of any one publication, except on approval of the Joint Committee on Printing. (See Regulations of the Joint Committee on Printing.)

1363. Complimentary Notice.- No official publication of any kind shall contain any notice that it is sent "with the compliments" of an officer of the Government, or with any special notice that it is so furnished, but an acknowledgement of its receipt may be requested. (1995)

1364. Distribution of Periodicals.- The free distribution of periodical publications will in general be limited to the following groups: (a) libraries; (b) the press; (c) Department employees; (d) cooperators; (e) collaborators; (f) workers in agricultural colleges and experiment stations; and (g) agricultural associations.

No name will be placed upon the mailing list for any periodical except upon specific request of the person or institution desiring it and the approval of the issuing bureau and the Office of Information. Others may purchase these publications by subscription from the Superinintendent of Documents, Government Printing Office. (1976)

1365. Distribution of Service and Regulatory Announcements.- The number of persons carried on the mailing list to receive copies of announcements free should be reduced to the least possible, or legal minimum, and, as far as practicable, not more than one copy should be sent to any individual. The Superintendent of Documents establishes a subscription price for these

announcements, single number and bound volumes, in order to cupply any demand beyond that covered by the free distribution.

1366. Distribution of the Journal of Agricultural Research and Its Separates.- The free distribution of the Journal is confined to agricultural colleges, technical schools, experiment stations, libraries or large universities, Government depositories, and such institutions as make suitable exchanges with the Department. No copies are available for free distribution to individuals.

Separates of the different papers appearing in the Journal are usually available for distribution within a short time after the number of the Journal containing the articles is issued. If the separates are ordered at the time of publication, they may be purchased either singly or in bulk from the Superintendent of Documents. After they are issued, no further reprints of the separates are made, unless the expense of so doing seems fully justified. Mailing lists of individuals and institutions interested in the various special lines of agricultural research are maintained in order that effective distribution of the Journal separates may be made.

MAILING OF PUBLICATIONS

1371. Mailing Lists

1. * Establishment and Maintenance of Lists.

a. Mailing lists in plate form which are for the use of bureaus in Washington, whether for distribution of publications or for administrative or other purposes, may be established, consolidated, or abolished only with the approval of the Director of Information. Unless an exception is authorized by him, all additions, removals, and changes of plates in such lists shall be made through the Office of Information, which will maintain a consolidated index of names on the lists.

b. Each bureau shall keep its mailing lists strictly current. Unless in particular cases a longer period is justified and is approved by the Director of Information, or unless a different period is fixed by law, each bureau shall at least once each year ascertain from each person or organization on its mailing lists whether or not the publication or other material in question is still required and, if so and if more than one copy is sent, whether the quantity can be reduced. Each bureau shall report to the Director of Information the fact that this canvass has been completed. *

2. Use of Mailing Lists. The mailing lists of the Department are compiled for official use only. No copy of any such list shall be furnished on franks, envelopes, or otherwise for the use of any individual, firm, or organization. The Crop Reporter lists of the Department shall not be used for any purpose except crop reporting without specific approval of the Secretary. (1976)

1372. * Exchange of Publications *

1. * Exchanges to be Arranged by the Librarian. In order that exchanges may be arranged with maximum advantage to the Department as a whole and the Library collection may be strengthened, all agreements for exchange of publications shall be made by the Department Librarian. He may at any time initiate negotiations for the institution or revision of exchange agreements, and for this purpose shall have access to all mailing lists, wherever located. Requests received by bureaus for exchange of publications shall be referred to the Department Librarian. All publications sent to the Department on exchange will be addressed to the Library. *

2. * Changes in Mailing Lists. Upon the request of the Department Librarian, such changes shall be made in mailing lists as are required by the initiation, revision, or termination of exchange agreements. *

3. * Foreign Exchange Agreements Required. No printed or processed publications issued by the Department or any bureau shall be sent regularly to any foreign government, organization, or individual, unless exchange agreements have been made or an exception has been authorized by the Department Librarian. *

4. * Postage. Postage charges for Department publications mailed under exchange agreements will be paid from the appropriation for the Department Library. *

Mailing of Publications

1373. * Foreign Requests for Publications *

1. * Unless they come within the provisions of Regulation 1372, foreign requests for publications will be handled by the bureaus concerned. If the Department is under obligation to honor the request, the material will be sent free of charge. Otherwise the request will be referred to the Superintendent of Documents through the Office of Information. *

2. * Requests from the Department of State for publications to be sent to foreign countries and requests from representatives of foreign countries in the United States will be cleared with the Office of Foreign Agricultural Relations and, if the provisions of Regulation 1372 are applicable, with the Department Librarian, before action is taken by the Office of Information. *

1374. * Mailings *

1. * In submitting manuscripts for publication, chiefs of bureaus shall recommend to the Director of Information the mailing lists to be used in distributing the material. The Director of Information shall determine what mailings shall be made and shall issue mailing instructions to the Government Printing Office. Rather than authorizing the mailing of the publications, he may instruct the Government Printing Office to mail announcements indicating that the publications are obtainable, either free or by purchase from the Superintendent of Documents. *

2. * In the case of new publications or thoroughly revised editions, 200 copies will be sent to the issuing bureau and 150 copies to the Office of Information. When reprints or slight revisions of Farmers' Bulletins or Leaflets are ordered, 100 copies will be sent to the issuing bureau and 150 copies to the Office of Information. A limited supply of publications will be kept in stock by the Office of Information for the use of bureaus, but not for mailing except when necessary in connection with correspondence in reply to requests for information. *

1375. Exchanges Received. * (Canceled. See Regulation 1372.) *

1376. * Use of International Exchange, Smithsonian Institution. If speedy delivery is not essential, publications which are to be sent to foreign countries and which are too bulky to be sent under postage shall be forwarded by means of the International Exchange through the Smithsonian Institution. *

MAILING OF PUBLICATIONS

1371. Maintenance of Mailing Lists.- The Office of Information shall have jurisdiction over all stenciled mailing lists maintained by the Department in Washington, and all matters regarding the establishment, discontinuance, or consolidation of such lists shall be submitted to the Office of Information for consideration. The Office of Information will maintain a central card index of all addressees appearing on the stenciled mailing lists. These lists will be kept strictly current.

Where circumstances warrant, foreign mailing lists may be maintained by the various bureaus for the distribution of publications with which they are concerned. All additions or changes in the lists will be sent to the Office of Information, where the lists are maintained. One copy of each bureau list will be filed in the main Library for its information in obtaining exchanges and will be kept strictly current by information supplied by the Office of Information. All foreign mailing lists shall be kept strictly current. Mailing lists maintained by field offices shall, in accordance with the regulations of the Joint Committee on Printing, be revised at least once every six months. (1976)

The mailing lists of the Department are compiled for official use only. No copy of any such list shall be furnished on franks, envelopes, or otherwise for the use of any individual, firm, or organization.

The Crop Reporter lists of the Department shall not be used for any purpose, except crop reporting, without specific approval of the Secretary.

1372. Library Mailing Lists.- The Library of the Department will maintain (a) a list of foreign libraries and institutions (library list) which receive all the publications of the Department, including the Yearbook, (b) an exchange list to which is sent regularly the Monthly List of Publications of the Department, and (c) an exchange list to which is sent the Journal of Agricultural Research. No general Consular list will be maintained, and any distribution to these officials must be approved by the director of information, for each publication that it is desired to send.

1373. Miscellaneous Foreign Requests.- Miscellaneous foreign requests, including requests for publications selected from the monthly lists, received by bureaus from other than special correspondents to whom the Department is under obligation to grant the request, shall be referred to the librarian of the Department, who, in determining whether the applicants are entitled to receive publications free of charge shall be governed by the regulations bearing on the distribution of publications to foreign addresses. All requests from applicants who, in the opinion of the librarian, are not entitled to receive the publications free of charge, shall be referred to the Office of Information which shall inform the applicants as to the possibility of obtaining the publications from the Superintendent of Documents.

1374. Mailing of Publications within the United States.- In submitting manuscripts of publications, chiefs of bureaus shall indicate on the appropriate form, by the use of key numbers, the particular portions of their mailing lists to be covered by the distribution. At the time the request for printing goes forward, the director of information will transmit to the Public Printer a scheme of distribution embodying the mailing-list keys designated by the originating bureau, together with other keys which he may deem appropriate, and full instructions for the prompt mailing of the publication by the Government Printing Office.

The director of information will determine, in each case, whether copies of a publication shall be sent to those whose names are on mailing lists or whether card announcements of the issuance of the publication shall be sent, stating that copies are obtainable, either free or by purchase from the Superintendent of Documents. In the event of using the card system, distribution will be made upon the receipt of the returned cards, when the publication is free. Sales announcements are returned by the addressee directly to the Superintendent of Documents together with the purchase price. The 200 copies of publications for use in the originating bureau will be issued by the Superintendent of Documents through the Office of Information. The Office of Information will keep on hand a limited supply of all publications for the use of the bureaus in their official work, but not for mailing except when it is necessary to transmit a publication with a letter.

1375. Exchanges Received.- When arranging exchanges with institutions, societies, and journals, the bureaus shall request that the exchanges be addressed to the Library of the Department unless it is ascertained upon inquiry that the Library is already receiving a sufficient number of copies.

1376. International Exchange, Smithsonian Institution.- All publications, except the Experiment Station Record, regulatory announcements of interest and value to foreign countries, the Journal of Agricultural Research and reprints of articles therefrom, documents sent to reviewing journals, and those for which bureau chiefs desire prompt delivery, will be sent to addresses which can not be reached under the penalty frank -- that is, all foreign countries except the territorial and island possessions of the United States, Canada, Mexico, Cuba, the Republic of Panama, and

the United States naval hospital, Yakohoma, Japan -- by means of the international exchange through the Smithsonian Institution. The excepted publications referred to will be mailed by the Superintendent of Documents under postage. Accounts for the international exchange service will be paid initially from the miscellaneous expense appropriation of the Department, with subsequent reimbursement through transfer accounts from the bureaus served.

UNITED STATES DEPARTMENT OF AGRICULTURE
Office of the Secretary
Washington 25, D. C.

August 17, 1945

AMENDMENT NO. 212 TO THE REGULATIONS OF THE DEPARTMENT

The attached revision of Regulation 1412 changes the regulation as previously in effect by removing the prohibition against illustrations in annual bureau chiefs' reports. The language of the regulation as revised conforms to the law which reads in part: "No part of the appropriations made for printing and binding shall be used for any illustration, engraving, or photograph . . . in any document or report of any executive department . . . until the head of the executive department shall certify . . . that the illustration is necessary and relates entirely to the public business."

Illustrations of a technical or scientific nature may be considered when essential to complete a report.

Clinton P. Anderson
Secretary

Reports of Accomplishments

1411. Annual Report of the Secretary. The Secretary shall make such reports, in such manner, and at such times as may be required by law.

The act of June 20, 1936, 49 Stat. 1545, provides that the appropriations made for printing and binding shall not be used for any annual report or the accompanying documents unless the manuscript and proof therefor is furnished to the Public Printer in the following manner: Manuscript of the documents accompanying such annual reports on or before the 1st day of November of each year; manuscript of the annual reports on or before the 15th day of November of each year; complete revised proofs of the accompanying documents on the 1st day of December of each year and of the annual reports on the 10th day of December of each year; and all of said annual reports and accompanying documents shall be printed, made public, and available for distribution not later than within the first five days after the assembling of each regular session of Congress.

1412. Annual Reports of Chiefs of Bureaus. * Each chief of bureau shall make an annual report of the work performed in his bureau and the results accomplished during the preceding fiscal year. The report should be as brief as the subject matter and the requirements for economical printing will permit. The language used must not be too technical for the general reader. No engravings, maps, drawings, or other illustrations may be used unless they are necessary and relate entirely to the transaction of the public business. Manuscripts of all reports should be submitted to the Secretary not later than September 15. Those which he determines may be printed will be editorially reviewed in the Office of Information where the length of manuscript and the number and character of illustrations to be included will be subject to approval by the Director of Information. (Also see Regulations 1411 and 1433) *

1413. Canceled.

1414. Reports of Condition of Work. The chief of each bureau is required to submit to the Chief of the Office of Plant and Operations not later than the 15th day of the month next after the end of each quarter of the fiscal year a written report indicating whether any part of the work of his bureau is in arrears, and, if so, the extent thereof and the reasons for the same, in order that the Secretary may make a quarterly report to the President as to the condition of the public business in the Department.

REPORTS OF ACCOMPLISHMENTS

1411. Annual Report of the Secretary.- The Secretary shall make such reports, in such manner, and at such times as may be required by law.

The act of June 20, 1936, 49 Stat. 1545, provides that the appropriations made for printing and binding shall not be used for any annual report or the accompanying documents unless the manuscript and proof therefor is furnished to the Public Printer in the following manner: Manuscript of the documents accompanying such annual reports on or before the 1st day of November of each year; manuscript of the annual reports on or before the 15th day of November of each year; complete revised proofs of the accompanying documents on the 1st day of December of each year and of the annual reports on the 10th day of December of each year; and all of said annual reports and accompanying documents shall be printed, made public, and available for distribution not later than within the first five days after the assembling of each regular session of Congress.

1412. Annual Reports of Chiefs of Bureau.- Each chief of bureau shall make an annual report of the work performed and results accomplished during the preceding fiscal year. Manuscripts of these reports shall be submitted to the Secretary not later than the 15th of September of each year. The manuscripts shall not contain any illustrations, and the language used therein must not be too technical for the general reader. To conserve funds available for printing, all manuscripts should be as brief as possible, considering the results to be reported and the requirements for economical printing. Whenever the Secretary determines that a manuscript should be printed, such manuscript shall be reviewed in the Office of Information before transmittal to the Public Printer. The statutory requirements governing the submission of manuscripts and proofs therefor to the Public Printer are set forth in the preceding regulation. (See regulation 1433)

1413. Annual Reports Regarding the Construction of Rural Post Roads and National Forest Roads.- The chief of the Bureau of Public Roads and the chief of the Forest Service shall make annual reports in accordance with the requirements of the act of November 9, 1921 (42 Stat. 216), as amended by the act of June 18, 1934 (48 Stat. 995). These reports, in triplicate, shall be submitted to the Secretary not later than December 31 of each year and shall include the following:

(a) A detailed statement of the work done;

(b) The status of each project undertaken;

(c) The allocation of appropriations;

(d) An itemized statement of the expenditures and receipts during the preceding fiscal year under this act;

(e) An itemized statement of the traveling and other expenses including a list of employees, their duties, salaries and traveling expenses;

DEPARTMENT OF AGRICULTURE

WASHINGTON

November 10, 1938

AMENDMENT TO THE REGULATIONS

Amendment No. 77.

There appears on the reverse side of this sheet, a revision of regulations 1411, 1412, and 1413, entitled "Annual Report of the Secretary", "Annual Reports of Chiefs of Bureaus", and "Annual Reports Regarding the Construction of Rural Post Roads and National Forest Roads", respectively.

The dates set forth in regulations 1411 and 1412 are based on the act of July 1, 1916, 39 Stat. 336, rather than the act of June 20, 1936, 49 Stat. 1545, amending the former act. Certain other changes in the interest of clarity were made in regulations 1412 and 1413.

The provisions of the regulations, as revised, are promulgated effective immediately.

Inasmuch as the titles of the regulations are included in the Table of Contents and appropriate items appear in the Index, no changes in these sections are necessary.

H A Wallace

Secretary.

(f) Recommendations, if any, for new legislation amending or supplementing the Federal highway act.

In preparing these reports expenditures for the construction of rural post roads and those for the construction of national forest roads and trails should be stated separately. The chief of the Bureau of Public Roads shall prepare the reports regarding the construction of rural post roads and, the chief of the Forest Service, in cooperation with the chief of the Bureau of Public Roads, shall prepare the reports regarding the construction of forest roads, which latter shall include all expenditures for forest road and trail purposes made in accordance with section 8 of the Federal Aid Road Act of July 11, 1916, section 8 of the Post Office Appropriation Act of February 28, 1919 and from other appropriations applicable to such work.

1414. Reports of Condition of Work.- The chief of each bureau is required to submit to the chief of the division of operation not later than the 15th day of the month next after the end of each quarter of the fiscal year a written report indicating whether any part of the work of his bureau is in arrears, and, if so, the extent thereof and the reasons for the same, in order that the Secretary may make a quarterly report to the President as to the condition of the public business in the Department.

PROJECT REPORTS

1421. Uniform Project System.- To promote the effective coordination of the activities of the Department, to aid in precluding unnecessary duplication, and in order that the Secretary may be kept fully informed at all times regarding the work being carried on, each bureau and office of the Department shall file with the Office of the Secretary uniform project statements covering in detail the work under its jurisdiction. These statements will be prepared in accordance with the manual of instructions, as issued by the Department and as supplemented from time to time. They shall be kept current and shall be supplemented by annual and other reports as specified in the manual of instructions. The permanent record file of the project statements of all bureaus and offices shall be kept in the office of budget and finance. Each bureau also shall maintain at least one complete and current file of its uniform projects. Bureau chiefs are required to see that there are filed in some readily accessible place sufficient data regarding each project under their supervision to enable them to furnish, whenever called upon, adequate information regarding its status and progress. The uniform project system will form the basis of the Department's program of work, and the annual budget estimates of the Department will be prepared on the basis of these projects. The file of projects of all bureaus and offices maintained in the office of budget and finance will be freely available for general reference. In furtherance of the policy of coordination, the Department encourages the use of the Project System, for reference purposes, by administrative officers and research workers of the various bureaus so that they may be familiar at all times with the work of the entire Department, especially of bureaus and offices working in the same or closely related fields.

1422. New Work.- A bureau or office contemplating any new work not adequately described in a previously approved current uniform project shall submit a new or an amended project covering such work, through the office of budget and finance, for advance approval of the Secretary and for submission, when necessary, of a report to the Bureau of the Budget pursuant to Budget Circulars No. 77 and No. 337. The proposed new work shall be submitted in writing either as (1) a new financial project; (2) a new work project; or (3) as additional work proposed under an existing financial or work project. New financial and work projects shall be submitted on the appropriate project forms. The information on new work submitted under any of the three above-mentioned categories should state (a) the perspective, object, and plan of the work; (b) an estimate of the cost thereof for the fiscal year in which the work is begun and of the probable total cost; (c) the probable number of persons to be employed thereupon during the fiscal year in which the work is begun and an estimate of their salaries; (d) whether the project will require an additional allotment of funds to carry on the proposed new work, and if so, the source of the funds; and (e) whether or not the work is required by law, and if so, the specific law or laws involved. These data will be reviewed to determine the desirability of the undertaking proposed, its possible relation to the work of any other bureau or department, and the propriety of its being conducted as an activity of the Department of Agriculture.

1423. New Legislation.- All requests or recommendations for new legislation whether such requests or recommendations originate in the Department or are referred to the Department for advice or expression of opinion, must first be referred to the director of finance for transmission by the Secretary to the Director of the Bureau of the Budget for advice as to whether or not the proposed legislation is in conflict with the program of the President. Before being finally transmitted to Congress by the Department a notation indicating the action of the Bureau of the Budget will be appended.

DEPARTMENT OF AGRICULTURE

WASHINGTON

January 29, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 14.

There appears on the reverse side of this sheet a revision of paragraph 1422 of the Regulations of the Department. This revision has been made to include reference to Budget Circulars No. 77 and No. 337 and a requirement for a statement of the probable number of persons to be employed on the project and an estimate of their salaries. This amendment is promulgated effective immediately. All copies of the Regulations should be amended accordingly.

Inasmuch as this subject is included in the Table of Contents and in the Index no additions to those sections need be made.

Harry L. Brown

Acting Secretary.

Except in unusual cases where it is not feasible or advisable for a report from the executive branch of the Government to make a direct recommendation, reports prepared in this Department on legislative bills should take a definite position or make a definite recommendation on the bill.

FINANCIAL REPORTS

1431. Budget Estimates.- Estimates of appropriations required for the work of each bureau shall be submitted by the chiefs thereof for consideration and action by the Secretary as prescribed by law and by the requirements of the Department, the Bureau of the Budget and the Congress.

Special instructions will be issued by the Bureau of the Budget and by the Department's budget officer indicating the form and detail in which the estimates shall be prepared.

In preparing such estimates the chief of each bureau should have in mind at all times the need for economy in Government expenditures. Each project should be carefully considered to determine whether further expenditures are justified, whether the project might not be discontinued and the appropriation decreased without detriment to the public interest, or whether the funds might not be transferred to more promising or more urgently needed lines of work.

New proposals and increases should be explained in clear and concise statements prepared in such manner as readily to permit their individual consideration and approval or disapproval. These explanatory notes should indicate clearly and specifically the need for the increase and exactly how it is proposed to use the additional funds requested; in other words, show the basis for the recommendation, including detail as to increased personnel, travel, equipment, or other objects of expenditure.

Items covering work in fields in which other bureaus of this Department or of other departments also are working or should be working or for which they may also be seeking funds should be coordinated with the estimates of such other agencies prior to their submission to the Secretary.

It is important that proposed new items of appropriation or changes in existing items be so phrased as to express in unequivocal terms what the Department plans to do. Chiefs of bureaus should avail themselves of the services of the solicitor to determine whether the estimates, if adopted by Congress and enacted into law, are legally sufficient to accomplish the intended purposes. (1630, 1636, 1637, 1713, 1714, 1715, 1716, 1717, 1724)

1432. Financial Statements for Congress.- All financial statements called for from time to time by Congress or any committee or member thereof will be handled through the director of finance. (102, 1635)

1433. Annual Reports of Agricultural Experiment Stations and Cooperative Agricultural Extension Work.- There shall be submitted to the office of the Secretary annually, as soon after November 1 as possible, the following reports prepared in triplicate:

(a) By the chief of the Office of Experiment Stations, a report of the work and expenditures of the agricultural experiment stations in the several States and Territories, whether the appropriation of any State or Territory has been withheld and, if so, the reasons therefor.

(b) By the director of extension work, a report of the receipts, expenditures, and results of the cooperative agricultural extension work of the Department and of agricultural colleges in the several States and Territories receiving the benefits of the funds provided under the Smith-Lever Act; whether the appropriation of any State or Territory has been withheld and, if so, the reasons therefor. (481, 498, 533)

CROP REPORTS

1441. Crop and Livestock Estimates and Reports

1. Functions of Crop Reporting Board. There shall be in the Bureau of Agricultural Economics a Crop Reporting Board, the primary function of which shall be to prepare and issue, as provided in paragraph 3 and elsewhere in this Regulation, the official State and National estimates and reports of the Department relating to crop production, livestock and livestock products, numbers of livestock on farms, stocks of agricultural commodities, *local market prices, value of farm products,* and such other subjects as the Chief of the Bureau may direct. Among these reports shall be the Monthly Crop Report, which shall be issued on or before the 10th of each month as provided in the Act of March 4, 1909 (35 Stat. 1053, 7 USC 411a), and the Cotton Report to be issued on or before the 10th day of July and the 8th day of each month from August to December, as provided in the Act of May 3, 1924 (43 Stat. 115, 7 USC 475), the Act of April 2, 1924 (43 Stat. 31, 13 USC 72, 75, 76), and the Act of March 3, 1927 (44 Stat. 1373, 7 USC 475) (528, 566, 567, 639, 341, 642).

2. Organization of Board.

a. Chairman. *The Head of the Division of Agricultural Statistics shall be the permanent Chairman of the Board and he shall call and preside over all meetings of the Board. The Division Head shall issue the necessary instructions within the Division for gathering, compiling, and summarizing data for the reports specified in paragraph 3, and shall approve the statistical techniques and procedures to be followed by the staff of the Division and by the Board in analyzing, interpreting, and reviewing the pertinent data and in preparing the official estimates for each report.*

b. Members. *The Head of the Division shall select the members of the Board for each report from the staff of the Division.* For the Monthly Crop Report the Board shall have not less than five members in addition to the Chairman, not less than two of whom shall be selected from the staff in the field offices of the Division. For the Cotton Report the Board shall have not less than five members, of whom not less than three members shall be supervisory field statisticians *** located in different sections of the cotton growing States, experienced in estimating cotton production and who have first-hand knowledge of the condition of the cotton crop based on recent field observations, and a majority of the Board shall be familiar with the methods and practices of producing cotton, as provided in the Act of May 3, 1924. For the Annual Cotton Crop Summary in April, the Annual Crop Production Summary in December, the Winter Wheat and Rye Seedings Report as of December 1, the Prospective Plantings Report as of March 1, the Annual Livestock Summary as of January 1, and the Pig Crop Reports as of June 1 and December 1, the Board shall consist of not less than five members, of whom not less than two shall be selected from the staff of the field offices.

1441 (cont.)

c. Secretary. The Board shall have a permanent Secretary, *who shall be selected from the professional staff of the Division in Washington.* He shall assist *** in preparing instructions and forms for collecting, compiling, summarizing, and analyzing statistical information for the use of the Board, shall arrange for suitable means for transmission of instructions, records, and reports to and from the field offices of the Division, shall maintain records of the information assembled by the Division, including a record of the official estimates prepared by the Board, and shall maintain a file of the signed copies of Board reports. For each report the Secretary shall assemble and collate information for the use of the Board, issue proper notices of Board meetings, and make necessary arrangements for the preparation, signing, and release of reports in such manner and at such times as are herein described.

3. Reports.

a. Reports to be Approved by the Secretary. The following Board reports shall be signed by the Chairman, Secretary, and members of the Board, and shall be approved by the Secretary of Agriculture before being issued or published:

Monthly Crop Reports, except for February, March, and December (see paragraph 1)
Cotton Reports (see paragraph 1)
Annual Cotton Crop Summary in April
Annual Crop Production Summary in December
Winter Wheat and Rye Seedings Report as of December 1
Prospective Plantings Report as of March 1
Annual Livestock Summary as of January 1
Pig Crop Reports as of June 1 and December 1

b. Other Board Reports. Such other reports as are designated by the Head of the Division, with the approval of the Chief of Bureau, shall be prepared and issued as Board reports. For each such report, *the Head of the Division shall select the Board members* from the staff of the Division in such manner and in such numbers as may be deemed necessary. Such reports shall be signed by the members of the Board who prepared them and be approved by the Chairman before being issued. ***

c. Annual Release Schedule. On or before the first day of December of each year there shall be prepared a schedule for the ensuing year setting forth dates and hours of release of all regular statistical reports listed in paragraph 3a for which the approval of the Secretary of Agriculture is required. The schedule of reports shall be effective when approved by the Secretary of Agriculture and may be amended at any time with his approval. Subsequently, there shall also be prepared and issued, to the extent possible, an advance listing of the reports referred to in paragraph 3b, together with dates of publication or issuance.

4. Collection of Information. For use in preparing the official estimates of the Department, information relating to agriculture shall be gathered through the Washington and field offices of the Division, as far as practicable, from practical farmers, as provided in the Act of March 4, 1909 (7 USC 411a); from peanut processors, as provided by the Act of June 24, 1936, as amended, (7 USC 951 et seq);

from processors, dealers, cooperating State and local officials, agencies in the Department; and from other sources. This information shall be collected by mailed questionnaire, by sample enumeration, by interviews, or by other appropriate means. (528, 630-43 et seq.)*

5. *Information Not to be Released; Speculation; False Statistics.

a. Withholding Information. The contents and every part of the contents of each and every report specified in paragraph 3a, and the information and every part of the information utilized in the preparation of such reports, shall be withheld from publication until the day and hour provided for the issuance of the reports in the schedule approved by the Secretary of Agriculture and amendments thereto.

b. Access to Information. No member of the Board or other persons engaged in the preparation of information for reports shall, before the release of any Board report provided for herein, willfully impart or permit access to any information contained therein or any part thereof, directly or indirectly, to any person not entitled under the law and rules of the Department to receive the same. The Chairman may under this regulation notify officers in charge of field offices of the Division, in advance of publication, of changes made by the Board from recommendations submitted by such officers for non-speculative items as defined in paragraph 6a(2).

c. Statutory Provisions

(1) "Whoever, being an officer or employee of the United States or a person acting for or on behalf of the United States, in any capacity under or by virtue of the authority of any department or office thereof, and while holding such office, employment, or position shall, by virtue of the office, employment, or position held by him, become possessed of any information which might exert an influence upon or affect the market value of any product of the soil grown within the United States, which information is by law or by the rules of the Department or office required to be withheld from publication until a fixed time, and shall willfully impart, directly or indirectly, such information, or any part thereof, to any person not entitled under the law or the rules of the Department or office to receive the same; or shall, before such information is made public through regular official channels, directly or indirectly speculate in any such product respecting which he has thus become possessed of such information, by buying or selling the same in any quantity, shall be fined not more than $10,000 or imprisoned not more than 10 years, or both: Provided, That no person shall be deemed guilty of a violation of any such rule unless prior to such alleged violation he shall have had actual knowledge thereof." (Act of March 4, 1909, 18 USC 214) (1293)

(2) "Whoever, being an officer or employee of the United States and whose duties require the compilation or report of statistics or information relative to the products of the soil, shall knowingly compile for issuance, or issue, any false statistics or information as a report of the United States shall be fined not more than $5,000 or imprisoned not more than five years, or both." (Act of March 4, 1909, 18 USC 215) (1294)*

6. *Speculative and Non-speculative Data.

a. Definition. Data used by the Board in the preparation of the Monthly Crop Report and the Cotton Report shall be classified as follows:

(1) Speculative data, which are defined to be data relating to corn, wheat, oats, or cotton, the assembling and collating of which would make it possible for any member, members, or assistants of the Board approximately to anticipate the Board's forthcoming report for the United States on the condition, yield, probable production, or farm stocks of designated commodities, or the acreage or ginnings of cotton. These data shall be deemed to be speculative for:

(a) Corn in Illinois, Indiana, Iowa, Kansas, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin.

(b) Winter wheat in Illinois, Indiana, Kansas, Missouri, Montana, Nebraska, Ohio, Oklahoma, Texas, and Washington.

(c) Spring wheat in Idaho, Minnesota, Montana, North Dakota, South Dakota, and Washington.

(d) Oats in Illinois, Indiana, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin.

(e) Cotton in Arkansas, Louisiana, Mississippi, Oklahoma, and Texas.

(2) Non-speculative data, which are defined to be any statistical data other than the speculative data defined in paragraph 6a(1).

b. Transmission.

(1) Summaries of speculative data collected in the field offices of the Division, together with recommendations of the officer in charge of each such office, shall be transmitted by mail or telegraph to the Secretary of Agriculture. When transmitted by mail, the summaries and recommendations shall be forwarded in a sealed envelope marked "Special A." When transmitted by telegraph, the summary and recommendations shall be forwarded in a secret code provided by the Secretary of the Board. Non-speculative data may at all times be forwarded directly to the Secretary of the Board by the officers in charge of the field offices of the Division.

(2) The officer in charge of the Department telegraph office shall place each telegram received by him containing speculative crop report data in a sealed envelope marked "Special A" and deliver such envelope by special messenger to the office of the Secretary of Agriculture.

c. Custody of "Special A" Envelopes. All "Special A" envelopes containing speculative crop report data received in the office of the Secretary of Agriculture shall, immediately upon receipt and without breaking the seals thereof, be placed in the locked box provided for that purpose in the office of the Secretary of Agriculture.

d. Opening of "Special A" Envelopes. Immediately preceding the convening of the Board on the day a report is to be published, the locked

box in the office of the Secretary of Agriculture containing the "Special A" envelopes shall be opened and the envelopes removed in the presence of a designated representative of the Secretary of Agriculture, the Chairman, Secretary, and one other member of the Board, and a special guard provided by the office of the Secretary of Agriculture. The Chairman, Secretary, and other member of the Board, accompanied by the guard, shall then proceed directly to the Board rooms.*

7. *Board Rooms.

a. Definition. The Board rooms shall consist of the Board room proper and all other rooms occupied during the locked-in session of the Board by clerks, stenographers, and others engaged in assisting the Board in the preparation of the report.

b. Safeguards Against Communication of Information. Previous to the arrival of the Board representatives and guard with the sealed "Special A" envelopes, the Secretary of the Board shall have caused all windows in the Board rooms to be sealed in such manner as to prevent communication between persons within the Board rooms and persons outside, and the officer in charge of the Department's branch telephone exchange shall have caused to be disconnected all telephones, buzzers, and similar means of communication from the Board rooms. Immediately after the entrance of the Board representative into the Board rooms, with the sealed "Special A" envelopes, the guard shall lock all doors leading from the Board rooms, and remain on watch until the report is released. While on watch, the guard shall not permit any communication between persons within the Board rooms and persons outside except as provided below. The guard shall unlock the door only to permit:

(1) The entrance of:

(a) The Secretary of Agriculture.

(b) The Chief of the Bureau.

(c) Officials of the Bureau of the Census who cooperate in issuing the joint cotton ginning and production report.

(d) Employees of the Division and other persons whose presence is required in the preparation of the report, and who have written permission from the Head of the Division.

(e) Other officials and employees of the Department of Agriculture having written authority from the Secretary of Agriculture, or from the Chief of the Bureau.

(2) The delivery to the Board rooms of mail, telegrams, written communications, or supplies for the use of the Board.

(3) Notification by the Chairman to the guard of delay in completion of a Board report (see paragraph 8d) or to convey emergency instructions essential to completion of a report.

(4) The departure of:

(a) The Secretary of Agriculture, the Chairman, and such other persons as may be designated at the time by the Chairman, for the purpose of proceeding, under guard, to the room provided for the release of the report.

(b) Any person in the case of extreme emergency, in which event a member of the guard shall accompany and remain with such person until the release of the report.

(c) All persons in case of fire or an air-raid.*

8. *Approval and Release of Reports.

a. Approval. Upon the completion of any Board reports specified in paragraph 3a of these regulations, a copy must be signed by the Chairman, Secretary, and each member of the Board, and approved in writing by the Secretary of Agriculture before it is released. The Chairman, accompanied by a member of the guard and not less than two other persons, shall take copies of the approved report from the Board rooms to the release room before the time specified for the publication and release of the report.

b. Release Officer. The officer in charge of the Department's telegraph office shall act as release officer and shall provide in the release room suitable telegraph and telephone facilities for all persons desiring such facilities for the transmission of the report upon its official release.

c. Procedure. Upon the arrival in the Board release room of the Chairman and persons accompanying him, the release officer shall cause all persons other than the Chairman to remain within a prescribed area until the release of the report, the limits of which area shall be not less than six feet from the telephones, telegraph instruments, and tables or shelves provided for distribution of copies of the report. The Chairman then shall place copies of the report, face down, beside each instrument, and additional copies, face down, upon the tables or shelves provided for that purpose. At the exact time provided for the official issuance of each report, the release officer shall inform those present that the report is released to the public and permit access to the copies of the report. The release officer then shall notify the guard at the door of the Board rooms that the report has been released and the guard thereupon shall unlock the doors of the Board rooms.

d. Delay in Releasing Reports. In the event that the report should not be completed and approved for issuance at the designated time, the Chairman, within ten minutes of the time designated for the release of the report, shall notify the guard of the time when the report will be ready for release. The guard immediately shall notify the release officer, who, in turn, shall notify all persons who are present in the release room for the purpose of receiving the report.*

9. *Acknowledgment of Regulation. The Head of the Division shall cause to be delivered, or exhibited, a copy of this Regulation to each employee of the Division or other person having access to crop report data in advance of publication. The Head or an authorized representative shall obtain from each such person a certification which shall be an acknowledgment that such person has read this Regulation and will be governed by it.*

10. *Definitions. Wherever Department, Bureau, Division, or Board is mentioned herein, the Department of Agriculture, the Bureau of Agricultural Economics, the Division of Agricultural Statistics, or the Crop Reporting Board is meant. Wherever any official is mentioned by title of position, the term shall include any person properly acting in his stead.*

MEETINGS, FAIRS, AND EXPOSITIONS

1511. Participation in Meetings, Fairs, and Expositions.- The division of exhibits, extension service, is responsible for and in charge of all exhibit activities of the Department, including plans for presentation of subject-matter in exhibit form, preparation of exhibits, and arrangements for exhibitions of any and all kinds.

As a general rule the Department participates in expositions or fairs or other exhibition occasions only when the management thereof agrees to cooperate in the expense of transporting and caring for the exhibits. Exceptions may be made when specifically authorized by law or where it appears to be to the advantage of the Department to make special arrangements.

All applications for exhibits at fairs, expositions, meetings, conventions and similar occasions and all requests, or inquiries relating thereto, received by any branch of the Department shall be referred to the director of extension work for attention.

All negotiations with and arrangements for participation by the Department in fairs and expositions or other exhibition occasions, shall be made by the extension service, but in cases where exhibit material on the subject-matter of one Department unit only is involved, the director of extension work may authorize such unit to arrange for and conduct the exhibition. The various units of the Department on their own initiative may, however, prepare and display small exhibits at meetings, conventions and other similar occasions.

Costs of preparing and handling exhibits for display at occasions other than those for which annual or specific appropriations are provided must

be met from funds furnished by the branches of the Department whose subject matter is concerned. Transportation and related expenses in connection with such exhibition occasions will be met from cooperative funds provided by the exhibition occasion if that can be arranged, otherwise from funds furnished by the interested bureau or agency.

If funds are available the Department may pay the expenses of its employees to represent the Department and have charge of exhibits at any exhibition if the scope and purpose of the exhibition occasion warrants such expenditure.

In referring applications, inquiries or correspondence relating to proposed exhibitions to the director of extension work, bureaus of the Department should accompany them with a statement indicating their willingness to participate singly or with other Department agencies. If expenses for such participation cannot be paid under the Department exhibits appropriation or under any special exhibition appropriation, the bureau or other agency should indicate also whether it is willing to defray any portion of or all costs in case the extension service is unable to obtain participation costs from the organization desiring the exhibits. (See also Paragraph 4224.) (80,81)

1512. Attendance at Meetings.- When practicable the Department will provide adequate representation at meetings, conventions, conferences or other gatherings of farmers, scientific societies, trade associations, State and Federal officials, etc., where the subject matter involved or other circumstances are such as to justify fully such representation, for the purpose of giving or acquiring information relating to the work of the Department. (81)

DEPARTMENT OF AGRICULTURE
WASHINGTON

October 15, 1936

AMENDMENT TO THE REGULATIONS

Amendment No. 4.

Because of the complications which have arisen over the requirement contained in paragraph 1512 to the effect that the approval of the Secretary must be obtained for attendance at all meetings where attendance of employees involves the expenditure of funds, except at local meetings or meetings occurring in the course of regular travel, this regulation is hereby amended by providing, in the second paragraph, for "departmental" approval and, in the third paragraph, authorization by "an official or officials designated by the Secretary" for attendance at all meetings except those of a purely local character, those occurring in the regular course of an employee's travel, or those relating to cooperative agricultural extension work.

The revised paragraph which appears on the reverse side of this sheet is effective immediately.

All copies of the Regulations should be amended accordingly.

Inasmuch as this title has been included in the Table of Contents and the Index no additions to those sections are required.

R. G. Tugwell

Acting Secretary.

1512 (cont.) Before authorizing attendance at meetings, Department officials will give due consideration to (a) the propriety of the Department of Agriculture being represented; (b) whether the specific reasons for such attendance fully justify the expenditure of time on the part of the employee; (c) economy in the expenditure of public funds for travel or other expenses; (d) avoidance of interference with or neglect of the primary work of the employee concerned by reason of attendance at any meeting; (e) avoidance of excessive or unnecessary representation at any meeting; (f) coordination of representation, both as to numbers and character and extent of participation, with representation of other Department units; and (g) conformity with Department policy of the substance of any matter presented by a Department representative involving Department policy.

The chief of each bureau, or subordinates authorized by him, may authorize attendance of employees at (1) local meetings (those meetings which are not of national importance and which are held in the vicinity, in general within 100 miles, of the employee's station); (2) meetings occurring in the course of their regular official travel; and (3) cooperative agricultural extension meetings. *The chief of each bureau, or not more than one subordinate authorized by him, may authorize* attendance of employees at other meetings where such attendance involves the expenditure of public funds for either salaries or expenses; and the concurrence of the Director of Personnel must also be obtained when it is proposed that more than three employees from one bureau or office attend such a meeting.

1513. Compensation for Services or Expenses of or Detail to Commissions, Councils, Boards, Etc. No part of any appropriation of this Department shall be used for the payment of compensation or expenses of any commission, council, board, or other similar body, or any members thereof or for expenses in connection with any work or the results of any work or action of any commission, council, board, or other similar body, unless the creation of the same shall have been authorized by law; nor shall any employee of the Department be detailed to serve in connection with any such commission, council, board, or other similar body. (1736)

Meetings, Fairs, and Expositions

Before requesting departmental approval for employees to attend meetings or approving attendance under their own authority, chiefs of bureaus, or those acting for them, will give due consideration to (a) the propriety of the Federal Department of Agriculture being represented; (b) whether the specific reasons for such attendance fully justify the expenditure of time on the part of the departmental employee; (c) economy in the expenditure of public funds for travel or other expenses; (d) avoidance of interference with or neglect of the primary work of the employee concerned by reason of attendance at any meeting; (e) avoidance of excessive or unnecessary departmental representation at any meeting; (f) coordination of representation, both as to numbers and character and extent of participation with representation of other departmental units; and (g) conformity with departmental policy of the substance of any matter presented by a departmental representative involving departmental policy.

Authorization by an official or officials designated by the Secretary is required for attendance at all meetings where attendance of employees of the Department involves the expenditure of funds for either salaries or expenses, except that chiefs of bureaus, or those duly authorized by them, may authorize attendance of employees at (1) local meetings (those meetings which are not of national importance and which are held in the vicinity, in general within 100 miles, of the employee's station; (2) meetings occurring in the course of their regular official travel; and (3) cooperative agricultural extension meetings.

When the attendance of a field employee at any meeting may, in the opinion of the official authorizing such attendance, be of interest to the State director of extension, notice should be sent to him by the official authorizing such attendance. The

director of extension work will notify State directors of extension of the attendance of Washington employees at any meeting which may be of interest.

1513. Compensation for Services or Expenses of or Detail to Commissions, Councils, Boards, Etc.- No part of any appropriation of this Department shall be used for the payment of compensation or expenses of any commission, council, board, or other similar body, or any members thereof or for expenses in connection with any work or the results of any work or action of any commission, council, board, or other similar body, unless the creation of the same shall have been authorized by law; nor shall any employee of the Department be detailed to serve in connection with any such commission, council, board, or other similar body. (1736)

PARTICIPATION IN JUDICIAL PROCEEDINGS

1521. Oaths, Affidavits, and Acknowledgments in Connection with Prosecutions.- Oaths, affidavits, and acknowledgments for use in any criminal or civil proceeding under, or in the enforcement of, any law administered by the Department or a bureau or subdivision thereof shall, wherever practicable, be administered and attested by an employee of this Department designated by the Secretary for that purpose pursuant to law. When a designated employee is not available and the oath is to an affidavit in support of criminal information, such oath may be attested by the clerk of a United States court. But when the oath is to be used in a civil proceeding, attestation may be, in addition to the several methods hereinbefore prescribed, by United States commissioners, notaries public of States, Territories, or the District of Columbia, clerks or prothonotaries of courts of record of any state, district or Territory, by deputies of such clerks, or prothonotaries, or by magistrates authorized by the laws of or pertaining to any such State, district, or territory to administer oaths. If there is no provision for authentication under seal by the executing officer, the qualifications of such executing officer shall be authenticated by certificate of the clerk of the court or other officer in charge of the record of his appointment or election. Attestation fees shall not be charged by designated employees of the Department of Agriculture or by clerks of the United States courts. Attestation fees of United States commissioners shall be paid on settling their accounts in the General Accounting Office. When the oaths, affidavits, or acknowledgments are administered by others herein mentioned, the charges authorized by the appropriate State, district, or territory may be made. (89, 90, 140, 141, 534, 1225, 1279, 1545)

1522. Appearance, Fees, and Expenses of Department Employees as Witnesses in Judicial Proceedings.- The cases involving appearance will be treated in the following groups:

(a) Employees testifying in cases arising within the Department or growing out of the violation of laws of a State or subdivision thereof in the enforcement of which employees of the Department have been authorized to assist, including laws with respect to migratory birds, livestock, the protection of fish and game, the prevention and extinguishment of forest fires, etc.

(b) Employees testifying for the United States in cases not arising within the Department.

(c) Cases not covered by (a) and (b) above but in which the employee is called upon solely because of and to testify in his official capacity or to produce official records or information.

(d) Cases between private parties where the employee's testimony has no official character.

Appearance.- In cases (a) and (b), may be without subpoena.

In case (c), there must be no appearance without subpoena.

In case (d), the Department is not interested in the manner of appearance.

In case (c), the employee subpoenaed should notify the chief of bureau or office by letter or telegram, stating the names of the parties litigant, the matter in suit, and the nature of the testimony the employee expects to give. Where in case (c) the chief of bureau or office deems the production of records or the employee's proposed testimony prejudicial to the public interest, he should at once refer the case to the Solicitor of the Department who will promptly advise whether the employee may be compelled to appear and testify. The chief of each bureau or office, with the approval of the Secretary, may designate a State, regional or other supervisory official who reports directly to him as the one the employee may notify, but such delegation of authority will not relieve the chief of a bureau or office of any administrative responsibility.

Witness Fees and Expenses of Travel and Subsistence.- The terms "fees" and "expenses " are distinct. The first means the amount allowed as pay for attendance; the second, the amount allowed to cover travel and subsistence.

In case (a) no fees are allowable. Expenses of travel and subsistence should be paid from the Department appropriations as in case of official travel unless a different arrangement has been made between the cooperating States and the Department.

In case (b) no fees are allowable. The expense account, prepared on a special form furnished by the United States marshal, should be presented to the United States marshal for payment.

In case (c) fees and expenses should be accepted but all amounts so collected over and above the amount of actual and necessary expenses, a statement of which must be furnished the chief of bureau or office, must be turned into the Treasury as Miscellaneous Receipts.

In case (d) the Department is not concerned with fees or expenses. No account need be rendered.

Leave.- In cases (a), (b), and (c) no leave need be taken. The employee is regarded as on official duty.

DEPARTMENT OF AGRICULTURE

WASHINGTON

September 21, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 53.

There appears on the reverse side of this sheet a revision of paragraph 1522, entitled "Appearance, Fees, and Expenses of Department Employees as Witnesses in Judicial Proceedings."

The primary purpose in revising paragraph 1522 was to more definitely establish the circumstances under which employees of the Department would be regarded on official duty when appearing on behalf of the United States as witnesses in proceedings in State courts.

The provisions of the paragraph, as revised, are promulgated effective immediately. Inasmuch as these items are included in the Table of Contents and the Index, no additions need be made to these sections.

H A Wallace

Secretary.

In case (d), leave with pay, or, if such leave has been exhausted, leave without pay, must be taken. (93)

1523. Jury Service.

1. Leave for Jury Service. The compensation of any employee of the Department in active service who may be called upon for jury duty in any United States, State, municipal, or District of Columbia court shall not be diminished during the term of jury service by reason of such absence, except as provided under section 3 below, nor shall such period of service be deducted from any leave of absence authorized by law. An employee who attends court will, therefore, not be required to take annual leave or leave without pay during such service. (See Regulation 2532.) This Regulation does not apply to temporary, substitute, or "when actually employed" personnel.

2. Request to be Excused from Jury Service. Any employee of the Department when called for jury service in any United States, State, municipal, or District of Columbia court should appear in such court, and if such service will interfere substantially with the performance of his duties he should respectfully inform the court of that fact and request to be excused. If the court declines to excuse him, the employee should report the facts by wire to the chief of his bureau. The bureau chief will immediately notify the Solicitor, who will take such steps as may be necessary.

3. Pay for Jury Service. Employees shall receive no compensation for jury service in any court of the United States or of the District of Columbia. Any pay received by an employee of the Department for jury duty in any State or municipal court shall be charged against or deducted from his regular salary from the United States.

DEPARTMENT OF AGRICULTURE

WASHINGTON

January 19, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 9

There appears on the reverse side of this sheet a paragraph No. 1523, entitled "Jury Service," which is added to the Regulations, effective immediately.

All copies of the Regulations should be modified accordingly. Inasmuch as this subject is included in the Table of Contents and Index, no additions need be made to those sections.

M. L. Wilson

Acting Secretary.

November 4, 1940

AMENDMENT TO THE REGULATIONS

Amendment No. 106

There appears on the reverse side of this page a revision of Regulation 1523, entitled "Jury Service," which is promulgated effective as of June 29, 1940.

This revision embodies the provisions of the act of June 29, 1940, providing leave of absence, with pay, for employees of the Department who are called upon for jury service in any State court or court of the United States.

Changes in the Table of Contents and Index are not required.

Paul H. Appleby

Acting Secretary.

OFFICIAL RECORDS

1531. Free Distribution.- Copies of reports of public hearings and conferences held by the Department may be furnished free to representatives of foreign countries, Federal and State officials.

1532. Sale of Reports.- Other persons or organizations interested in securing copies should be referred to the stenographic reporter in cases where the report of hearing is made by contract.

When the report is made by department employees, a charge of 10 cents per page, 8 by 10½, double spacing (approximately 250 words), should be made for each page of the report including all accompanying lists of names and other matter embodied in the report, and the proceeds deposited through the disbursing clerk or appropriate fiscal agent of the Department to the Credit of Miscellaneous Receipts.

When the report is printed or typed in single spacing (approximately 500 words to the page), the charge should be at the rate of 20 cents per page.

These rates are applicable whether original or carbon copies are furnished.

1533. Examining and/or Obtaining Copies of or Testimony Concerning Official Records.- Records of the Department which (a) contain information obtained or received confidentially, or (b) relate to pending cases or decisions, or deal with studies or investigations by the Department or its collaborators, where the disclosure of the information contained would be adverse to public interest, will not be subject to public examination, nor shall copies thereof be furnished upon any request except those from Federal official sources. All other records of the Department, however, shall be subject to examination by persons having a legitimate interest therein, and copies thereof will be furnished in accordance with the Regulations of the Department.

If desired for use otherwise than on behalf of the United States, the copy of a record which has not been published for the information of the public shall not be furnished unless the person requesting the same shall state in writing the purpose for which it is to be used or unless a rule of court be obtained. Whenever there is doubt on the part of an administrative officer as to whether circumstances or conditions make it necessary for the Department in the interest of the public service to decline to furnish the copy, the solicitor shall, upon application to him, advise the chief of the branch of the Department having custody of the record as to the appropriate action to be taken. When there is no doubt, such chief shall cause a correct copy to be prepared and send it to the Office of the Solicitor for authentication.

When a request is received for an authenticated copy of a record of the Department which has been published for the information of the public, such as a climatological, meteorological, or similar record of the Weather Bureau, for use as evidence in litigation or otherwise, the chief of the bureau of the Department having custody thereof shall cause a correct copy to be prepared and sent to the Solicitor who shall certify same and cause to be affixed the seal of the Department.

Whenever application is made to any employee of the Department to produce a Department record in any judicial proceeding, or

DEPARTMENT OF AGRICULTURE

WASHINGTON

December 20, 1939.

AMENDMENT TO THE REGULATIONS

Amendment No. 94

There appears on the reverse side of this and subsequent sheets an addition to Regulation 1533, entitled "Examination or Copies of Official Records."

The primary reasons for supplementing the present draft of Regulation 1533 are (1) to incorporate therein the rules and Regulations of the Agricultural Adjustment Administration with regard to the inspection or examination or the securing of copies of official records thereof and (2) to extend the same rules and Regulations to the official records of both the Federal Crop Insurance Corporation and the Sugar Division.

The following change should be made in the Table of Contents:

Change "1533. Examination or Copies of Official Records"

to "1533. Examining and/or Obtaining Copies of or Testimony Concerning Official Records."

H A Wallace

Secretary.

to testify to any fact included therein, the employee shall advise the applicant how he may obtain an authenticated copy. (1546)

The foregoing shall not apply to documents, records, books, accounts, maps, photographs, and all other papers (hereinafter referred to as records) of the Agricultural Adjustment Administration, the Federal Crop Insurance Corporation, and the Sugar Division of the Department.

The remainder of this Regulation is issued pursuant to authority vested in the Secretary, and especially pursuant to the provisions of Section 161 of the Revised Statutes of the United States (United States Code, Title 5, Section 22) and the several statutes authorizing the activities of the Agricultural Adjustment Administration, the Federal Crop Insurance Corporation, and the Sugar Division of the Department, and includes and supersedes General Office Order No. 52, issued by the Administrator, Agricultural Adjustment Administration, April 15, 1935, and General Office Order No. 52, Amended, issued December 26, 1935, with respect to the records (except drafts not finally acted upon and except records of the kind designated by the head of the agency as records which in the public interest shall, for the period fixed by him, be used or examined only by the Department) of or in the custody of the Agricultural Adjustment Administration, and is intended also to define more particularly the general policy of the Department with respect to all records, wherever located, of the Agricultural Adjustment Administration, the Federal Crop Insurance Corporation, and the Sugar Division.

Such records of the above-named agencies and of the county agricultural conservation associations, the previous county production control associations, and the State, county, community, and other local committees heretofore or hereafter utilized in administering the programs under the supervision of such agencies are the property of the Government of the United States entrusted to the custody of the respective agencies of the Department of Agriculture and, therefore, no court or administrative body in the absence of authority granted by or under Federal statute has authority to compel the production of such records or giving of testimony respecting the same. Inasmuch as the inspection or examination of, the furnishing of information concerning, or the production of such records, or the giving of testimony concerning the same, in court or elsewhere, causes additional expense and loss of time to the Government and its agencies having charge of them, unless otherwise provided in or pursuant to Federal statute such records will not be open to inspection or examination, information or testimony as to their contents will not be furnished, and they will not be produced in court or administrative proceedings, except in the following cases and then only on condition that no order purporting to be a subpoena or other compulsory process be issued or allowed to stand:

(a) to or for producers who were or are, or were or are entitled to be, signatories to or parties beneficiary under acreage or production adjustment contracts or applications therefor pursuant to the Agricultural Adjustment Act (1933) or crop insurance contracts, work sheets, applications for any payment or other benefit under any statute, or applications for any exemption or benefit under the Bankhead Cotton Control

Act, the Kerr-Smith Tobacco Control Act, the Potato Act of 1935, the Agricultural Adjustment Act of 1938, or any other statute heretofore or hereafter enacted authorizing agricultural programs, provided that in case of production of such records, or testimony concerning them, in court or administrative proceedings the prior approval of the head of the agency having responsibility for such records is first obtained;

(b) to or for persons authorized in the articles of association of county agricultural conservation associations to have access to the records referred to in such articles and subject to the limitations therein;

(c) to or for a department, bureau (of this or any other department), independent establishment, or other agency, or duly authorized representative thereof, of the executive branch of the Federal Government or any member of Congress, Delegate, or Resident Commissioner, upon request to and with the prior approval of the head of the agency having responsibility for such records;

(d) to or for State Governments or agencies thereof, upon request to and with the prior approval of the head of the agency having responsibility for such records;

(e) to or for any other person who establishes the facts (i) that any right of his may be adversely affected unless he obtains proof of facts shown in such records or that he has a pecuniary interest in the subject-matter of such records or in any property to which they relate, (ii) that the administration of justice requires proof of the facts shown in such records, and (iii) that such proof cannot be obtained elsewhere or otherwise, upon request to and with the prior approval of the head of the agency having responsibility for such records.

Mailing lists or addresses of producers shall not be supplied, or allowed to be compiled, under any circumstances except for the use of the county agricultural conservation committee and the State agricultural conservation committee and except for the use of any agency of the Department of Agriculture upon request to and with the prior approval of the head of the agency having responsibility for such records. (See Regulation 1536).

The approval provided for in items (a), (c), (d), and (e), above and in the sentence immediately preceding this sentence may be given generally or in particular cases by the administrator of the Agricultural Adjustment Administration, the manager of the Federal Crop Insurance Corporation, and the chief of the Sugar Division, or officers designated by them, in matters within their respective jurisdictions.

The giving of any testimony, the production, inspection, or examination of any records, or the divulging of the contents thereof by or to any person or agency in pursuance of this Regulation shall not be permitted to impede or delay the routine work of the office concerned. Whenever any such record is produced in any court or administrative proceeding it shall remain in the possession of an officer or employee of the agency in whose custody it is and shall not be physically incorporated in the record of such proceeding, and upon the conclusion of his appearance in such proceeding it shall be returned to the place from which it was taken.

OFFICIAL RECORDS

1531. Free Distribution.- Copies of reports of public hearings and conferences held by the Department may be furnished free to representatives of foreign countries, Federal and State officials.

1532. Sale of Reports.- Other persons or organizations interested in securing copies should be referred to the stenographic reporter in cases where the report of hearing is made by contract.

When the report is made by department employees, a charge of 10 cents per page, 8 by 10½, double spacing (approximately 250 words), should be made for each page of the report including all accompanying lists of names and other matter embodied in the report, and the proceeds deposited through the disbursing clerk or appropriate fiscal agent of the Department to the Credit of Miscellaneous Receipts.

When the report is printed or typed in single spacing (approximately 500 words to the page), the charge should be at the rate of 20 cents per page.

These rates are applicable whether original or carbon copies are furnished.

1533. Examining and/or Obtaining Copies of or Testimony Concerning Official Records.- Records of the Department which (a) contain information obtained or received confidentially, or (b) relate to perding cases or decisions, or deal with studies or investigations by the Department or its collaborators, where the disclosure of the information contained would be adverse to public interest, will not be subject to public examination, nor shall copies thereof be furnished upon any request except those from Federal official sources. All other records of the Department, however, shall be subject to examination by persons having a legitimate interest therein, and copies thereof will be furnished in accordance with the Regulations of the Department.

If desired for use otherwise than on behalf of the United States, the copy of a record which has not been published for the information of the public shall not be furnished unless the person requesting the same shall state in writing the purpose for which it is to be used or unless a rule of court be obtained. Whenever there is doubt on the part of an administrative officer as to whether circumstances or conditions make it necessary for the Department in the interest of the public service to decline to furnish the copy, the solicitor shall, upon application to him, advise the chief of the branch of the Department having custody of the record as to the appropriate action to be taken. When there is no doubt, such chief shall cause a correct copy to be prepared and send it to the Office of the Solicitor for authentication.

When a request is received for an authenticated copy of a record of the Department which has been published for the information of the public, such as a climatological, meteorological, or similar record of the Weather Bureau, for use as evidence in litigation or otherwise, the chief of the bureau of the Department having custody thereof shall cause a correct copy to be prepared and sent to the Solicitor who shall certify same and cause to be affixed the seal of the Department.

Whenever application is made to any employee of the Department to produce a Department record in any judicial proceeding, or

DEPARTMENT OF AGRICULTURE

WASHINGTON

December 20, 1939.

AMENDMENT TO THE REGULATIONS

Amendment No. 94

There appears on the reverse side of this and subsequent sheets an addition to Regulation 1533, entitled "Examination or Copies of Official Records."

The primary reasons for supplementing the present draft of Regulation 1533 are (1) to incorporate therein the rules and Regulations of the Agricultural Adjustment Administration with regard to the inspection or examination or the securing of copies of official records thereof and (2) to extend the same rules and Regulations to the official records of both the Federal Crop Insurance Corporation and the Sugar Division.

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H A Wallace

Secretary.

to testify to any fact included therein, the employee shall advise the applicant how he may obtain an authenticated copy. (1546)

The foregoing shall not apply to documents, records, books, accounts, maps, photographs, and all other papers (hereinafter referred to as records) of the Agricultural Adjustment Administration, the Federal Crop Insurance Corporation, and the Sugar Division of the Department.

The remainder of this Regulation is issued pursuant to authority vested in the Secretary, and especially pursuant to the provisions of Section 161 of the Revised Statutes of the United States (United States Code, Title 5, Section 22) and the several statutes authorizing the activities of the Agricultural Adjustment Administration, the Federal Crop Insurance Corporation, and the Sugar Division of the Department, and includes and supersedes General Office Order No. 52, issued by the Administrator, Agricultural Adjustment Administration, April 15, 1935, and General Office Order No. 52, Amended, issued December 26, 1935, with respect to the records (except drafts not finally acted upon and except records of the kind designated by the head of the agency as records which in the public interest shall, for the period fixed by him, be used or examined only by the Department) of or in the custody of the Agricultural Adjustment Administration, and is intended also to define more particularly the general policy of the Department with respect to all records, wherever located, of the Agricultural Adjustment Administration, the Federal Crop Insurance Corporation, and the Sugar Division.

Such records of the above-named agencies and of the county agricultural conservation associations, the previous county production control associations, and the State, county, community, and other local committees heretofore or hereafter utilized in administering the programs under the supervision of such agencies are the property of the Government of the United States entrusted to the custody of the respective agencies of the Department of Agriculture and, therefore, no court or administrative body in the absence of authority granted by or under Federal statute has authority to compel the production of such records or giving of testimony respecting the same. Inasmuch as the inspection or examination of, the furnishing of information concerning, or the production of such records, or the giving of testimony concerning the same, in court or elsewhere, causes additional expense and loss of time to the Government and its agencies having charge of them, unless otherwise provided in or pursuant to Federal statute such records will not be open to inspection or examination, information or testimony as to their contents will not be furnished, and they will not be produced in court or administrative proceedings, except in the following cases and then only on condition that no order purporting to be a subpoena or other compulsory process be issued or allowed to stand:

(a) to or for producers who were or are, or were or are entitled to be, signatories to or parties beneficiary under acreage or production adjustment contracts or applications therefor pursuant to the Agricultural Adjustment Act (1933) or crop insurance contracts, work sheets, applications for any payment or other benefit under any statute, or applications for any exemption or benefit under the Bankhead Cotton Control

Act, the Kerr-Smith Tobacco Control Act, the Potato Act of 1935, the Agricultural Adjustment Act of 1938, or any other statute heretofore or hereafter enacted authorizing agricultural programs, provided that in case of production of such records, or testimony concerning them, in court or administrative proceedings the prior approval of the head of the agency having responsibility for such records is first obtained;

(b) to or for persons authorized in the articles of association of county agricultural conservation associations to have access to the records referred to in such articles and subject to the limitations therein;

(c) to or for a department, bureau (of this or any other department), independent establishment, or other agency, or duly authorized representative thereof, of the executive branch of the Federal Government or any member of Congress, Delegate, or Resident Commissioner, upon request to and with the prior approval of the head of the agency having responsibility for such records;

(d) to or for State Governments or agencies thereof, upon request to and with the prior approval of the head of the agency having responsibility for such records;

(e) to or for any other person who establishes the facts (i) that any right of his may be adversely affected unless he obtains proof of facts shown in such records or that he has a pecuniary interest in the subject-matter of such records or in any property to which they relate, (ii) that the administration of justice requires proof of the facts shown in such records, and (iii) that such proof cannot be obtained elsewhere or otherwise, upon request to and with the prior approval of the head of the agency having responsibility for such records.

Mailing lists or addresses of producers shall not be supplied, or allowed to be compiled, under any circumstances except for the use of the county agricultural conservation committee and the State agricultural conservation committee and except for the use of any agency of the Department of Agriculture upon request to and with the prior approval of the head of the agency having responsibility for such records. (See Regulation 1536).

The approval provided for in items (a), (c), (d), and (e), above and in the sentence immediately preceding this sentence may be given generally or in particular cases by the administrator of the Agricultural Adjustment Administration, the manager of the Federal Crop Insurance Corporation, and the chief of the Sugar Division, or officers designated by them, in matters within their respective jurisdictions.

The giving of any testimony, the production, inspection, or examination of any records, or the divulging of the contents thereof by or to any person or agency in pursuance of this Regulation shall not be permitted to impede or delay the routine work of the office concerned. Whenever any such record is produced in any court or administrative proceeding it shall remain in the possession of an officer or employee of the agency in whose custody it is and shall not be physically incorporated in the record of such proceeding, and upon the conclusion of his appearance in such proceeding it shall be returned to the place from which it was taken.

OFFICIAL RECORDS

The provisions of this Regulation are applicable to all records which may now or hereafter belong to or be in the custody of any of the above-mentioned agencies of the Department or any of the above-mentioned associations or committees, or their successors. Nothing contained in this Regulation shall be construed to prevent full access to such records being given to any duly authorized representative of the Department of Justice, the General Accounting Office, the Bureau of Internal Revenue, or the Secret Service of the United States, promptly upon presentation of his credentials.

The provisions of this Regulation are applicable to all records which may now or hereafter belong to or be in the custody of any of the above-mentioned agencies of the Department or any of the above-mentioned associations or committees, or their successors. Nothing contained in this Regulation shall be construed to prevent full access to such records being given to any duly authorized representative of the Department of Justice, the General Accounting Office, the Bureau of Internal Revenue, or the Secret Service of the United States, promptly upon presentation of his credentials.

1534. Disposition of Records. No records shall be destroyed or otherwise disposed of without obtaining proper authority through the Chief, Office of Plant and Operations.

The word "records" as used in this Regulation means originals or copies of motion-picture or other photographic records in any form whatsoever, sound recordings, correspondence, papers, indexes, maps, charts, plans, drawings, punch cards, tabulation sheets, pictures, etc.

1. Transfer of Records to National Archives. Records not frequently needed in the transaction of current business but deemed to be of permanent value or historical interest shall be made available for transfer to the custody of the National Archives for preservation. Recommendations to transfer such records shall be made to the Chief, Office of Plant and Operations.

2. Disposition of Useless Records. Whenever a bureau or office has in its custody an accumulation of records that are not needed in the transaction of current business and that appear to have no permanent value or historical interest, the head of such bureau or office shall submit a report (National Archives Form M-26) stating the location and describing the character of such records. This report shall be submitted to the Chief, Office of Plant and Operations, in quadruplicate and shall be accompanied by samples of the several kinds of records listed therein.

Upon receipt of a House of Representatives Report or a Disposition Authorization of the Archivist authorizing the disposition of records reported, the head of the bureau or office shall dispose of such records by one of the following methods:

a. If the records are located in Washington, D. C., they should be delivered to the Public Buildings Administration, Federal Works Agency, for disposal as waste paper or for destruction by burning if such records are of a confidential nature. When such records are located in a field office housed in a Federal building, they should be delivered to the Federal building custodian for disposal as waste paper or destruction by burning if they are of a confidential nature.

b. If the records are located in a field office housed in other than a Federal building, they should be sold upon the best obtainable terms after due publication of notice inviting proposals therefor (if the amount of records accumulated warrants such procedure). All moneys derived from the sale of such records shall be deposited in the Treasury of the United States.

c. If application has been made to the head of the bureau or office through the Archivist of the United States, the records may be transferred without cost to the United States Government to any

DEPARTMENT OF AGRICULTURE
WASHINGTON

December 11, 1940

AMENDMENT TO THE REGULATIONS

Amendment No. 113

There appear on the reverse side of this page and on succeeding pages, a revision of Regulation 1534 "Disposition of Records" and three new Regulations designated "1537. Disposition of Surplus - Useless Publications," "1538. Preservation of Leave Records," and "1539. Preservation of Accounting Records," which are promulgated effective immediately.

Regulation 1534 has been changed in accordance with Public No. 295, 76th Congress, approved August 5, 1939, entitled "To provide for the disposition of certain records of the United States Government."

Regulation 1537 has been written to cover the disposition of useless publications and includes the provisions of Title 44, Section 78, United States Code.

Regulation 1538 covers the subject matter included in Memorandum to Chiefs of Bureaus and Offices No. P-45.

Regulation 1539 is a revision of former Regulation 3119 and provides that the Chief, Office of Plant and Operations, may request reports from bureaus retaining accounting records for more than five years.

The following changes should be made in the Table of Contents and in the Index:

Table of Contents

Changes:

1534 from "Disposal of Useless Documents" to "Disposition of Records"

Additions:

1537. Disposition of Surplus - Useless Publications
1538. Preservation of Leave Records
1539. Preservation of Accounting Records

Deletions:

3119. Preservation of Accounts and Records

Index

Changes:

Under Disposal of

"useless documents - - - - - - - - - - - - - - - 1534" to
"surplus-useless publications - - - - - - - - - 1537"

Under Publications

"disposal of useless - - - - - - - - - - - - - - 1534" to
"disposition of surplus-useless - - - - - - - - 1537"

Under Records

"disposal of useless" to "disposition of"

State or dependency of the United States of America or to any appropriate educational institution, library, museum, historical, research, or patriotic organization therein.

When the records have been disposed of, the head of the Bureau or office making such disposition shall submit a written report to the Chief, Office of Plant and Operations, describing the character and volume of such records and a statement of when and by what method the disposition of the records was accomplished. If any of the records were sold, the report shall indicate the amount of money received and the total cost of effecting the sale. If the records were transferred, the report shall indicate the names and the post office addresses of all institutions, associations, or other organizations receiving the records. (Public No. 295, 76th Congress, approved August 5, 1939.) (108, 163, 680, 1296, 1297, 1329.)

1535. Lists of Employees. No lists of employees, except official publications prepared for public distribution, shall be furnished to any person, organization, or firm, except on written application showing the purpose for which such lists are to be used, and then only with the approval of the director of personnel.

1536. Lists of Manufacturers, Farmers, Etc. No list of names of farmers, business men, or firms, which may be available in the Department, shall be given directly or indirectly to any person, firm, or association unless the furnishing of such lists is a necessary part of the official work of a bureau or unless authorized by the director of information.

When lists of manufacturers, dealers, breeders, etc., are furnished correspondents, it should be clearly indicated that the inclusion of names does not imply the Department's endorsement of certain firms to the possible detriment of others, or that the lists necessarily include all dealers in a certain line. (See also Regulation 1215.)

1537. Disposition of Surplus - Useless Publications. All public documents accumulating in the several bureaus and offices not needed for official use shall be annually turned over to the Superintendent of Documents for distribution or sale. (Jan. 12, 1895, c. 23, § 67, 28 Stat. 611; 44 USC, Sec. 78) (1971)

1538. Preservation of Leave Records. All offices shall preserve original leave applications for a period of not less than three years and Form AD-50, "Record of Annual Leave," for a period of not less than five years. At the expiration of these periods these records may be disposed of in accordance with the provisions of Regulation 1534, subparagraph (2).

1539. Preservation of Accounting Records. Chiefs of the various bureaus and offices shall determine the accounting and fiscal records to be maintained in their accounting offices in Washington, D. C. When retention of these records and supporting documents is no longer necessary, they may be disposed of in accordance with the provisions of Regulation 1534, subparagraph (2).

Bureau chiefs may also determine the accounting records to be maintained at each field station, office, or other point at which Departmental work is conducted through the year, but these records must include, copies of the following, which shall be retained for a period of at least five years:

"Useless documents, disposal of - - - - - - - - - 1534" to
"Useless publications, disposition of - - - - - 1537"

"Accounts, preservation of - - - - - - - - - - -)
Field stations, preservation of records at - -)
Funds, preservation of records of - - - - - -) from "3119"
Receipts, preservation of - - - - - - - - - - -) to "1539"
Vouchers, preservation of - - - - - - - - - - -")

Additions:

Records, preservation of - - - - - - - - - - - - - 1538, 1539
Surplus publications, disposition of, - - - - - - 1537

Deletions:

Documents, disposal of useless - - - - - - - - - - 1534
Papers, disposal of useless - - - - - - - - - - - 1534
Copying of records, authority for - - - - - - - - 3119
Destruction of records prohibited - - - - - - - - 3119
Documents, copying or destruction of - - - - - - - 3119
Official papers, copying or destruction of - - - 3119
Records, preservation of - - - - - - - - - - - - - 3119

Paul H. Appleby Acting Secretary.

January 14, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 7

Inasmuch as the present Regulations of the Department do not contain any instructions relating to the issuance of lists of employees, farmers, manufacturers, or others, they are amended by the addition of the paragraphs on the reverse side of this page.

These paragraphs are effective immediately and all copies of the Regulations should be amended accordingly.

The following additions should be made to the Table of Contents and the Index:

Table of Contents

1535. Lists of Employees
1536. Lists of Manufacturers, Farmers, etc.

Index

Distribution of lists of employees - - - - - - - - - - - - - 1535
Distribution of lists of manufacturers, etc. - - - - - - - - 1536
Employees, lists of - 1535
Farmers, distribution of lists of - - - - - - - - - - - - - 1536
Information, director of, to approve distribution of
lists of manufacturers, farmers, etc. - - - - - - - - - - 1536
Lists of employees - 1535
Lists of manufacturers, farmers, etc. - - - - - - - - - - - 1536
Manufacturers, distribution of lists of - - - - - - - - - - 1536
Personnel, director of, to approve distribution of
lists of employees - 1535

H A Wallace

Secretary.

Official Records

1. Copies of all purchase vouchers issued at that point and of supporting documents, including purchase orders, requisitions, copies of vendors' invoices unless purchase is itemized on voucher, and receiving records;

2. Copies of all payroll vouchers prepared by the station or office and of supporting documents, including time reports and time books;

3. Copies of all records and supporting documents pertaining to collections of funds including receipts, records of transmittal, certificates of deposit, and coupons, certificates, or other documents which form the basis for collections;

4. Copies of all records relating to sales, exchanges, or disposition otherwise of surplus products or materials, including prenumbered sales slips, production records, approved exchanges, correspondence relating to exchanges, etc.

After retention for five years, these field records may be disposed of in accordance with the provisions of Regulation 1534, subparagraph (2). They shall be maintained accurately, shall be kept current at all times, and shall be kept in systematic order for auditing purposes.

No account or record shall be withdrawn from the files nor shall copies be furnished to any person unless approved by the official in charge of the station or office.

The accounts and records of those field stations or offices which are operated only a part of the year shall be forwarded to the bureau in Washington or to some other designated office in the field for safekeeping at such times as the official in charge believes desirable.

When a bureau chief desires to retain any accounting records in either the Washington, D. C., offices of the bureau or in the field for a period longer than five years and such retention necessitates the provision of additional space for files, the Chief of the Office of Plant and Operations may request from the bureau a brief report showing the necessity for keeping the files, including an estimate of the period of time for which their retention is judged to be necessary.

CONDUCT

1541. Personal Conduct. Employees shall not at any time conduct themselves in a manner which might cause embarrassment to or criticism of the Department or interfere with the efficient performance of their duties. For example, employees of the Department whose duties require the enforcement of laws or regulations or who are in a position to award or influence the award of business or to grant or influence the granting of favors, should not accept from any person, firm, or corporation with which he has official relations any favor, gift, loan, unusual discount, gratuitous service or other thing of value; nor should any employee of the Department give or use information acquired by means of his official position to advance the interests of himself, his family, his business associates, or his personal friends over those of other persons. (See also Regulations 1545, 1547, 2814, 3317.)

1542. Political Activity. All officers and employees of the Department will be governed with respect to political activity by Personnel Circular No. 84, issued by direction of the Secretary January 16, 1940, and any revisions thereof issued from time to time. References in Personnel Circular No. 84 to this regulation should be ignored.

DEPARTMENT OF AGRICULTURE

WASHINGTON

March 21, 1940

AMENDMENT TO THE REGULATIONS

Amendment No. 98.

The revision of Regulation 1542 entitled "Political Activity" which appears on the reverse side of this sheet is hereby promulgated effective immediately.

The revised Regulation consists in a cross-reference to Personnel Circular No. 84 which cannot be abbreviated effectively and which is considered too lengthy to be used in its entirety as a Regulation.

No changes are necessary in the Table of Contents and Index.

H A Wallace

Secretary.

1543. Gifts or Favors from Subordinates Prohibited. No employee in the Department shall at any time solicit contributions from other employees in the Department for a gift or present to anyone in a superior position; nor shall any such official or clerical superior receive any gift or present offered or presented to him as a contribution from persons in the employ of the Department receiving a less salary than himself; nor shall any officer or clerk make any donation as a gift or present to any official superior. (109)

No employee of the Department shall place himself under obligation to a subordinate employee by borrowing money, directly or indirectly, from such subordinate employee, or by obtaining the signature of a subordinate employee as endorser or co-maker of a note issued as security for a loan.

1544. Confidential Information. All verbal or written information of a confidential nature which may come to the knowledge of an employee, must be neither disclosed nor discussed with any person or persons except when their respective official duties make such information a proper subject for discussion.

Whenever in a private litigation, the value of the testimony of an employee of the Department arises from the knowledge gained in an official capacity such employee shall not agree to appear as an "expert" witness unless the nature of the testimony it is proposed to give meets the approval of the chief of the bureau in which such employee is employed or of the bureau in which the knowledge was gained.

Following the close of a public hearing with respect to the proposed issuance of an order, regulation, or other administrative determination, and prior to the issuance by the Secretary of such order, regulation, or other administrative determination, no officer or employee of the Department shall, without the written permission of the Secretary, discuss the subject matter of the hearing, or any matter relating thereto, with any interested person or with any representative of an interested person: Provided, however, that this Regulation shall not preclude an officer or employee who has been duly assigned to, or who has supervision over, a proceeding from discussing with interested persons or their representatives matters of procedure in connection with such proceeding. (See Regulations 1545, 1547, and 1549)

1545. Employees Forbidden to Speculate in Cotton. All officers and employees of the Bureau of Agricultural Economics, and all other officers and employees of the Department of Agriculture who may be connected in any way with the administration of the United States Cotton Futures Act, are forbidden either directly or indirectly, (1) to deal in, or to have or acquire any interest in, any contract for the purchase or sale of cotton for future delivery; (2) to deal in, or to have or acquire any interest in any spot cotton, without the previous written consent of the Secretary of Agriculture, secured upon application submitted through the chief of the bureau, office, or division in which the applicant is employed; and (3) to use for other than official purposes, or to disclose, or to authorize, aid, or assist in disclosing, to any person or persons, other than officers or employees of the Department authorized to receive the same in the line of their duties, any confidential information voluntarily furnished to the Department, in the course of the administration of the act,

WASHINGTON

February 19, 1941

AMENDMENT TO THE REGULATIONS

Amendment No. 118

There appears on the reverse of this page a revision of Department Regulation 1543, entitled "Gifts to Officials Prohibited," which is promulgated effective immediately. The Regulation has been changed to include a prohibition against the acceptance of favors from subordinates.

The title of the Regulation has been changed to "Gifts or Favors from Subordinates Prohibited."

The following changes should be made in the Table of Contents and in the Index:

Table of Contents

Change:

1543. From "Gifts to Officials Prohibited"
To "Gifts or Favors from Subordinates Prohibited"

Index

Additions:

Favors, from subordinates prohibited - - - - - - - - 1543
Loans, to superiors prohibited - - - - - - - - - - - 1543

Grover B. Hill
Acting Secretary.

May 4, 1938

AMENDMENT TO THE REGULATIONS

Amendment No. 58

There appears on the reverse side of this sheet a revision of Regulation 1544, entitled "Confidential Information."

The revision consists principally of the addition of two paragraphs which provide that under certain conditions an officer or employee shall not agree to appear as an "expert" witness in a private litigation unless the chief of the bureau approves the nature of the testimony it is proposed to give, or, without written permission and with certain exceptions, discuss the subject matter of a public hearing prior to the issuance of an order, regulation, or other administrative determination as a result of such public hearing.

The provisions of this Regulation are promulgated effective immediately.

Inasmuch as the title of the Regulation is included in the Table of Contents no change in same is necessary. The following items should be added to the Index:

Expert witnesses - 1544
Hearings, discussion of - 1544
Witnesses, expert - 1544

H A Wallace
Secretary.

except that such information may be given out to the public, by authorized officers of the Department, for such purposes, to such extent, in such manner, and at such times as may not be at variance with the terms upon which the same was furnished. (1293)

1546. Indebtedness; Action on Complaints. The Department will not permit itself to be used as a collection agency for debts owed by its employees, but it will not consider as a fit employee anyone who without adequate reason fails to pay just debts contracted by him. When a debt complaint is received by the Department, it will be referred for acknowledgment to the bureau in which the employee concerned is located. The appropriate bureau official shall obtain a written report from the employee against whom the complaint has been made which, together with the letter of complaint, shall be made a part of the employee's official record in the bureau. Every effort shall be made in the bureau to arrive at a mutually satisfactory solution of the matter, and in those cases where the chief of bureau finds that the debt is a just one and that the employee is financially able to liquidate it, either by a lump-sum payment or by installment payments, he shall notify the employee to that effect and instruct him to make a satisfactory settlement.

If the employee fails to comply with such instructions, the chief of bureau shall recommend to the Secretary such disciplinary action as he may deem appropriate. If the validity of the debt is questionable or the employee proves to the satisfaction of the chief of bureau that he is financially unable to liquidate the indebtedness or to make any payments thereon, the appropriate bureau official shall notify the creditor accordingly.

In cases where the debt has been reduced to a judgment, the employee concerned will be required to satisfy the judgment unless he can arrange to have it modified or set aside, or unless he can convince the chief of bureau that the circumstances are such that he should not be required to do so.

Creditors or collectors will be denied access to employees for the purpose of presenting or collecting claims while the employees are on official duty.

1547. Premature Disclosure of Crop Information; Speculation; False Statistics. No officer or employee of the Department, or person acting in any capacity under or by virtue of the authority of the Department, who, by virtue of the office, employment, or position held by him, shall become possessed of any information which might exert an influence upon or affect the market value of any product of the soil grown within the United States, which information is by law or by the rules of the Department or office required to be withheld from publication until a fixed time, shall willfully impart, directly or indirectly, such information, or any part thereof, to any person not entitled under the law or the rules of the Department to receive the same; or, before such information is made public through regular official channels, directly or indirectly speculate in any such product respecting which he has thus become possessed of such information, by buying or selling the same in any quantity; nor shall any such officer or employee whose duties require the compilation or report of statistics or information relative to the products of the soil, knowingly compile for issuance, or issue, any false statistics or information as a report of the United States. (310, 1293, 1294)

DEPARTMENT OF AGRICULTURE

WASHINGTON

AMENDMENT TO THE REGULATIONS

Amendment No. 126 June 4, 1941

There appears on the reverse of this page a revision of Department Regulation 1546, entitled "Indebtedness; Action on Complaints," which is promulgated effective immediately.

The Regulation has been revised to eliminate the requirement that reports on indebtedness be considered in connection with the efficiency ratings of employees.

No change in the Table of Contents or Index is necessary.

Paul H. Appleby

Under Secretary.

1548. Outside Work. No employee of the Department shall perform or be engaged in any work on his own behalf or for private individuals, firms, companies, organizations, or institutions:

1. If the outside work will prevent the employee from rendering full time service to the Department.

2. If the efficiency of the employee may be impaired by the performance of the outside duties, that is, where the outside duties are of such an onerous or fatiguing nature as to injure his health or to prevent him from doing his best work during official hours.

3. If the work to be done in a private capacity may be construed by the public to be the official acts of the Department, except that employees of the Department may permit the use of their names and titles as by-lines on articles which they prepare for publication by farm magazines and other periodicals, provided that the articles have been prepared and approved in accordance with the provisions of other Department Regulations.

4. If the business connections to be established or property interests to be acquired may result in a conflict between the private interest of the employee and his official duty or tend to bias his judgment.

5. If the doing of such work may involve the use of information secured as the result of employment in the Department to the detriment of the public service.

6. If such employment may tend to bring criticism on the Department or cause embarrassment.

7. If the work relates to a written discussion of policies or official work of the Department except as authorized by these Regulations.

8. If the work involves teaching, except as permitted by the provisions of Personnel Circular No. 80 and any supplements thereto which have been or may be issued from time to time by the Director of Personnel.

9. If the work involves participating in the establishment of any general farm organization; acting as organizer for any such general farm organization, or holding any other office therein; acting as financial or business agent for any general farm organization; or participating in any way in any membership campaign or other activity designed to recruit members for any such organization. (This provision shall be construed in accordance with Secretary's Memorandum No. 893.)

10. If the work involves the acceptance by the employee of office in, or the granting of permission to use his name in the advertising matter of, organizations commercializing the results of research work conducted by the Department, irrespective of any merits which such enterprises may appear to possess.

DEPARTMENT OF AGRICULTURE

WASHINGTON

AMENDMENT TO THE REGULATIONS

Amendment No. 123 April 16, 1941

There appears on the reverse of this page a revision of Department Regulation 1548, entitled "Outside Work," which is promulgated effective immediately.

Paragraph 3 has been changed to permit employees of the Department to use their names and titles as by-lines on articles published in farm magazines and other periodicals. A paragraph dealing with the activities of Department officers and employees with relation to general farm organizations has been added. The provision relating to teaching has been changed to include a reference to Personnel Circular No. 80 and supplements thereto, issued by the Director of Personnel. The provision dealing with the relation of employees to organizations commercializing the results of research work conducted by the Department has been rephrased.

No change in the Table of Contents is necessary. The following changes should be made in the Index:

Deletions:

Civil Service, examinations, preparation for - - - - - - - - 1548

Additions:

Articles, for farm publications - - - - - - - - - - - - - - - 1548
outside publication - - - - - - - - - - - - - - - - - - - 1548
Commercial organizations, relations of employees - - - - - 1548
Employees, participation in advertisements - - - - - - - - - 1548
use of names with articles for farm publication - - 1548
Farm organizations, relations of employees - - - - - - - - - 1548
Farm publications, articles by employees - - - - - - - - - - 1548
Organizations, commercial - - - - - - - - - - - - - - - - - - 1548
farm - 1548
Publications, farm, articles by employees - - - - - - - - - 1548
Work, outside, employee performance, restrictions - - - - 1548

Paul H. Appleby

Acting Secretary.

1549. Association with Commercial Interests.- Employees who are continuously employed by the Department shall not be connected with or interested in any firm, company, or corporation whose scope of business includes an industry which the employee is investigating for the Department; and such employees shall in no case allow their names, work, or connection with the Department to be used in promoting or exploiting or selling stock in any firm, company, or corporation whose scope of business includes any special industry which such employees are investigating for the Department.

No matters pertaining to administration by the Department of Agriculture of existing legislation, or to proposed legislation which relates to the work of this Department, shall be discussed by employees of the Department with any person who is employed or connected with commercial interests that are affected by such legislation or the administration thereof and who, within a period of two years, has been employed by this Department or any Department of the Government charged with the administration of such legislation.

DEPARTMENT OF AGRICULTURE

WASHINGTON

February 4, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 15.

In order that the rule established by Department Memorandum No. 704 may be included in the formal Regulations of the Department, there appears on the reverse side of this sheet an amendment to paragraph 1549, entitled "Association with Commercial Interests," which is promulgated effective immediately.

As the title of paragraph 1549 has been changed, it should be corrected in the Table of Contents, and the following additions should be made to the Index:

"Commercial interests, discussions with - 1549
Employees, former, discussions with - - - 1549
Federal activities, discussions of - - - 1549
Legislation, discussion of - - - - - - - - 1549"

H A Wallace

Secretary.

1551. Employees Afflicted with Contagious Disease.- Any employee afflicted with a contagious disease, or who resides in any dwelling in which a contagious disease exists, is prohibited from entering any building of the Department until a satisfactory medical certificate has been presented to the appropriate administrative officer of the Department.

1552. Pulmonary Tuberculosis.- Whenever an employee is known or believed to be afflicted with pulmonary tuberculosis, the case shall be brought to the attention of the director of personnel of the Department, who will prepare an order for the employee to present himself or herself to the Public Health Service for examination, and to submit to the Department from the Public Health Service a certificate showing the result of the examination. If the Public Health Service reports that the employee examined is suffering from pulmonary tuberculosis, the case shall be handled as circumstances may require, by a temporary separation from the service, segregation of the employee, or otherwise.

1553. Employees Injured in Performance of Duty.- The United States Employees' Compensation Commission undertakes to distribute its regulations, circulars, and lists of physicians to all branches. Officials of the Department responsible for handling the cases of employees injured while in the performance of duty, both in the District of Columbia and in the field, shall keep posted as to the requirements of the commission, and locate from the commission's lists, copies of which should be secured direct from the commission if not already on hand, the designated physicians and hospitals. Changes in the lists of designated physicians will be reported to all branches by the Compensation

DEPARTMENT OF AGRICULTURE

WASHINGTON

September 23, 1938

AMENDMENT TO THE REGULATIONS

Amendment No. 73.

A revision of regulation 1552, entitled "Pulmonary Tuberculosis," appears on the reverse side of this sheet. The primary reason for this revision is that the regulation relates to a personnel problem, and, therefore, the administration of same should come under the jurisdiction of the director of personnel.

The provisions of the regulation, as revised, are promulgated effective immediately.

Inasmuch as this subject has been included in the Table of Contents and the Index, no addition need be made to these sections.

M. L. Wilson

Acting Secretary.

1553 (cont.) Commission. The official superior's responsibility does not end until a designated physician has charge of the case.

2. In all cases of injury where the emergency is such as to require it, any physician licensed to practice medicine and surgery under the State law may be called for first aid treatment, but further treatment, if required, must be obtained from a United States medical officer or hospital if practicable, otherwise from a "designated" physician, if there is one.

1554. Emergency Medical Attendance in the District of Columbia. * (Canceled February 16, 1944. Instructions with regard to emergency medical treatment for employees in the District of Columbia are to be found in Personnel Circular No. 76 (Revision I).) *

1555. * Transportation of Injured Employees *

1. * Transportation Allowable. The United States Employees' Compensation Commission is authorized by law to make reimbursement for expenses incurred in the transportation of United States employees injured in the performance of official duty, or of the bodies when such injury causes death. The rules and regulations governing such reimbursements are found in the regulations and other published materials of the Commission, but for the general information and guidance of employees of the Department, some of the principal items allowable are summarized here.

a. Injured Employees. An employee who is injured while performing his official duties may be furnished with the means of obtaining transportation and may be reimbursed for expense incident to securing treatment of a condition resulting from injury, when examination or treatment is authorized in accordance with the provisions of the Compensation Act and the regulations of the United States Employees' Compensation Commission, and such expense, in the opinion of the Commission, is necessary and reasonable. Reimbursement may also be made for traveling expenses of an attendant when, in the opinion of the Commission, it has been shown that an attendant is necessary. (259)

b. Deceased Employees. If, within six years from the date of injury, an employee whose home is in the United States dies while away from his official station or outside the United States, as a result of injuries received in the performance of official duty, the United States Employees' Compensation Commission is authorized to make reimbursement for the necessary and reasonable expenses for transporting the remains of the employee to his home. This is in addition to the payment of reasonable burial expenses, not to exceed $200. When required for transportation of the body, expenses for embalming and for a hermetically sealed casket may also be authorized. Reimbursement will not be made for Pullman, subsistence, or other expenses of a person traveling on a ticket issued for corpse escort. (261) *

2. * Use of Government Forms to Secure Transportation. Government transportation requests or bills of lading may be used to provide for transportation of employees injured in the performance of official duty or of their bodies when death is the result of such injury. Claims for reimbursement of transportation expenses properly allowable by the Commission are in no way prejudiced by failure to use Government transportation forms.

a. Injured Employees. Transportation requests, when used to provide for the transportation of an injured employee or his

1555 (cont.) attendant, should contain instructions to bill the United States Employees' Compensation Commission, 285 Madison Avenue, New York, N. Y. The name of the injured employee must be noted on requests and on memorandum copies so that the compensation case can be identified.

Transportation requests shall not be used to provide transportation in cases of illness or occupational disease. In such cases, accounts for expenses incurred should be submitted to the Commission for consideration in connection with the claim for compensation.

b. Deceased Employees. Authority must be secured from the United States Employees' Compensation Commission for the use of Government transportation requests or bills of lading for the transportation of an employee's remains to his home. A sufficient statement of the facts should be furnished the Commission showing that such transportation is necessary and desirable and providing information as to when, where, and under what circumstances the employee was injured, place of death, distance from place of injury to place where death occurred, official station, home, and whether the employee's relatives have requested the transportation of his body to his home. Official reports on Forms C.A. 2 and C.A. 3 should be forwarded to the Commission immediately in all cases of death.

If transportation of the remains is authorized by the Commission, a Government bill of lading with instructions to bill the United States Employees' Compensation Commission, 285 Madison Avenue, New York, N. Y., may be used for transportation by express. If express shipment is impossible, or if a relative desires to accompany the body, the remains may be transported as baggage on a transportation request issued to cover the two fares required, with billing instructions as indicated above. *

1556. Smoking.

1. Smoking is prohibited in any room used for the storage of stationery, supplies, and chemicals, or in any room containing explosives or other highly inflammable materials, or in any room or place in any building which is not constantly occupied and under the observation of employees of the Department, or in any room where smoking would endanger public property or interfere with the transaction of public business.

2. Chiefs of bureaus are authorized to make such additional rules with regard to smoking by employees under their jurisdiction as will safeguard public property and avoid interference with the performance of official duties. "No smoking" signs should be displayed in conspicuous places where necessary.

Commission. The official superior's responsibility does not end until a designated physician has charge of the case.

In all cases of injury where the emergency is such as to require it, any physician licensed to practice medicine and surgery under the State law may be called for first aid treatment, but further treatment, if required, must be obtained from a United States medical officer or hospital if practicable, otherwise from a "designated" physician, if there is one.

1554. Emergency Medical Attendance in the District of Columbia.- In case of injury or sudden illness of employees and others while in the buildings or upon the grounds of the Department in the District of Columbia, immediate first-aid will be rendered by a nurse in charge of the emergency room and, if necessary, a physician will be summoned. The names and locations of physicians, as well as the location of medical cabinets containing first-aid equipment and of employees having custody of the keys to such cabinets, may be obtained from the office of the chief of the division of operation.

Any employee of the Department in the District of Columbia who is injured while in the performance of duty and requires medical service, other than that referred to above should be directed to the United States Public Health Service relief station, Old Post-Office Building, Twelfth Street and Pennsylvania Avenue, for examination and such treatment as can be furnished at the dispensary. A request for treatment (CA-16 or 17) addressed to the medical officer in charge should be presented by the patient when he reports to the dispensary. Where the nature of the injury demands it, the patient may be brought to the dispensary in an ambulance or taxicab. If the injury is established under the Employees' Compensation Act, the patient will be reimbursed

for the charge of such service. The dispensary is is open from 9 a.m. to 4:30 p.m.

If the injury occurs before opening or after closing hours of the dispensary and the patient appears to be in need of hospital treatment, he should be supplied with a request for treatment addressed to the medical officer in charge of United States Public Health Service cases at Providence Hospital and sent there for treatment. If it is not possible to send CA-16 with the patient, this form should be properly executed and mailed to the hospital within 24 hours of the admission of patient. Providence Hospital's telephone call is Lincoln 1740.

1555. Use of Transportation Requests for Injured Employees.- Whenever an employee of the Department is injured by accident in the performance of official duty and it becomes necessary for the purpose of obtaining adequate medical attention to transport him to the nearest United States medical officer or hospital, or, if this is not practicable, to the nearest physician or hospital designated by the United States Employees' Compensation Commission (or when neither of these is available to the nearest physician or hospital) Department of Agriculture transportation requests may be used for the purpose with billing instructions changed to read "U. S. Employees' Compensation Commission, Washington, D. C." When in the judgment of the official superior it is necessary that an attendant accompany the injured employee to the nearest medical facilities, Department transportation requests may be used for such purpose with billing instructions changed as above indicated. Reasonable and necessary traveling expenses of such attendant to the nearest medical facilities and return will, upon proper showing approved by the official superior, be reimbursed by the United States Employees' Compensation Commission. All accounts must be on the basis of actual expenses; per diem in lieu of

subsistence can not be charged: PROVIDED, That immediate report (Form CA-2 of the Employees' Compensation Commission may be used for this purpose provided it contains a clear and complete statement as to the circumstances of the injury necessitating the transportation of the employee) giving a complete statement of the circumstances shall be made to the United States Employees' Compensation Commission of the injury for which transportation request is used. This authority applies only in cases of injuries incurred in the performance of official duty. (265)

Transportation requests shall not be used for the purpose of securing medical treatment in cases of illness or occupational diseases. Whenever an employee of the Department becomes disabled and, in his opinion, such disability is due to an occupational disease, accounts for expenses incurred should be submitted to the United States Employees' Compensation Commission for consideration in connection with his claim for compensation.

If a transportation request is issued by an officer or employee other than the injured employee, the name of the injured employee must be noted on the request and stub so that the Employees' Compensation Commission may identify the compensation case.

Neither transportation requests nor bills of lading shall be used for the transportation of the remains of an employee killed in the performance of official duty until authority therefor shall have been obtained from the United States Employees' Compensation Commission. Where the use of Government transportation requests or bills of lading for the transportation of the remains of an employee killed in the performance of official duty is necessary or desirable a sufficient statement of facts should be furnished the United States Employees' Compensation Commission showing

when, where, and under what circumstances the employee was injured, place of death, distance from place of injury to place where death occurred, official station, home, and whether the relatives have requested the transportation of the body to his home.

If transportation of the remains is authorized by the commission, a departmental bill of lading with billing instructions changed to read "United States Employees' Compensation Commission, Washington, D. C." may be used for such transportation, by express. Where express shipment is impossible, or if a relative desires to accompany the body, the remains may be transported as baggage and a Department transportation request to cover the two fares required, with billing instructions changed as indicated above may be used for the purpose. No reimbursement can be made by the United States Employees' Compensation Commission for pullman, subsistence, or other expenses of a person traveling on a ticket issued for corpse escort.

In cases where the commission authorizes the transportation of an employee's body to his home there will be allowed in addition to the cost of transportation and $200 for the usual burial expenses, only the necessary and reasonable expenses for embalming and for a hermetically sealed casket. But when enbalming and a hermetically sealed casket are not required for transportation of the body these expenses will not be paid by the commission.

Claims for reimbursement of transportation expenses properly allowable by the commission in connection with injuries or death will not be prejudiced by failure to take advantage of the foregoing procedure providing for the use of Government transportation requests. Such claims will be promptly filed with the commission. (259, 261)

1556. Smoking.- Smoking is prohibited in any room used for the storage of stationery, supplies, and chemicals, or in any room containing explosives or other highly inflammable materials, or in any room or place in any building which is not constantly occupied and under the observation of employees of the Department, or in any room where smoking would endanger public property or interfere with the transaction of public business.

Chiefs of bureaus are authorized to make such additional rules with regard to smoking by employees under their jurisdiction as will safeguard public property and avoid interference with the performance of official duties. "No smoking" signs should be displayed in conspicuous places where necessary.

PATENTS

1561. Issue of Patents to Employees.- All inventions made by employees of this Department in any wise connected with the work of the Department, that is to say which involve subject matter within the scope of the Department's activities, are required to be submitted to the Secretary, who will determine what steps shall be taken in order that the interests of the Government and the employees concerned may be adequately protected. The submission shall contain a description of the invention or discovery and a disclosure of the circumstances under which the invention was made. If it is decided to file a patent application such application will be filed under the provisions of the act of March 3, 1883, as amended by the act of April 30, 1928.

If the invention involved is found to be within the specifically assigned duties of an employee he will be required to dedicate it to the public or, in the event it is desired to retain administrative control of the subject matter in the Department, such invention will be assigned to the Secretary of Agriculture. When an invention does not come within the scope of employment of the inventor-employee and where the subject matter is of interest to the Government, a patent application will be filed through the Department, under which the Government retains or obtains a shop right or right of free use and all other commercial rights remain in the inventor.

Where appropriated funds have been used in the making of inventions by employees of the Government under a specific work assignment, the use of such discoveries shall be secured to the Government and to the people of the United States who have supplied the means to conduct the necessary experiments through the medium of

taxation, without the payment of royalties. This Department has authority only to grant nontransferable, nonexclusive, revocable licenses. (1776)

1562. Requests to Patent Office for Expediting Issuance of Patents.- Bureaus receiving communications from persons outside of the Department requesting that the Commissioner of Patents be asked to expedite consideration of applications for letters patent pending before him shall, before taking any further action in the matter, call upon the person making the request for a complete description of the article or process and its uses, together with the serial number of the application for patent. Upon receipt of this information the bureau interested shall determine whether the article or process, if patented, will be of peculiar importance to the Department, or to the agricultural industry, and whether the immediate consideration of the application and issuance of the patent will be of advantage to the Department in the prosecution of its work.

A full report should be made by the chief of bureau to the Secretary. If the facts warrant, the necessary action will be taken looking to the immediate consideration of the application in question, and an employee of the Office of the Solicitor will be designated to represent the Department before the Commissioner in order to prevent improper issue of the patent, in accordance with rule 63 of the rules and practice in the United States Patent Office. (1775)

1563. Aid to Commissioner of Patents.- For the purpose of aiding in the issuance of plant patents the Secretary may (1) furnish the Commissioner of Patents information available in the Department; (2) conduct through the appropriate bureau or division such research upon special problems; (3) detail to the Commissioner of Patents such officers and employees of the Department as the Commissioner may request.

MISCELLANEOUS

1571. Uniformity in Signs, Notices, Directories, Etc.- Wherever practicable, the following general form should be used hereafter in indicating the location of offices and activities of the Department in all notices, memoranda, building directories, signs on buildings, doors, windows, etc., and all other places where the work of the Department is brought to the attention of the public.

The "U. S. Department of Agriculture" should come first in bold letters; the bureau or office represented should come next, in type not larger than the first, and this may be followed by any other necessary or desirable subheading. As a rule the names of officials should not appear. The following are examples:

U. S. DEPARTMENT OF AGRICULTURE
WEATHER BUREAU

U. S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
Northeastern Experiment Station

Existing signs need not be changed, but in ordering new signs any material deviation from the foregoing specifications which may seem desirable should be submitted with a statement of the reasons therefor, through appropriate channels, to the chief of division of operation for authorization.

1572. Identification Cards.- Identification cards will be issued by the officers designated for that purpose by chiefs of bureaus. Upon separation of the employee from the bureau, his card should be recalled by the issuing officer for cancellation.

Miscellaneous

1573. Membership in Military or Naval Organizations

1. Employees of the Department are authorized to accept appointments as officers in the Army of the United States, Naval Reserve, or Marine Corps Reserve, provided such appointments are approved by the chief of the bureau, or office concerned, or by such officer or officers as he may designate for the purpose. Before refusing to grant such approval, bureaus and offices shall secure the concurrence of the Director of Personnel.

2. No restrictions are imposed by the Department on membership in other Federal or State military or naval organizations.

1574. Official Badge

1. Official badges of this Department may be issued to employees for identification purposes only.

2. Bureaus will purchase from their appropriations such badges as may be necessary to meet their requirements, but before placing any order for dies a drawing of the proposed badge will be submitted for approval to the Chief, Office of Plant and Operations, together with specifications describing material, size, shape, and insignia.

3. * Each bureau shall maintain records of the distribution of its badges, showing the name of each employee who has a badge. Badges must be returned when employees leave the service of the bureau or for any other reason are no longer entitled to wear them. *

1575. Display of Advertising Matter. The display of advertising matter in offices and laboratories of the Department, including advertising calendars, is prohibited.

1576. * Articles Lost or Found. Personal articles found in Department buildings or premises in the District of Columbia are to be delivered to the Guard Office. Persons who lose such articles should notify the Guard Office. If there is any reason for suspecting theft, the matter should be reported at once to the Office of Plant and Operations. *

1577. Contributions; Peddling; Soliciting

1. * Circulation of subscription lists, or other methods of soliciting or collecting voluntary contributions from employees in the Department in Washington, will not be permitted unless prior approval is granted in writing by the Director of Personnel. At field stations or offices, the consent of the head of the station or office must be secured before the solicitation or collection of contributions may be made. This regulation does not apply to voluntary donations by groups of employees for the purchase of gifts or flowers in the case of the marriage, illness, death, retirement, etc., of a fellow employee. * (See, however, Regulation 1543, "Gifts or Favors from Subordinates Prohibited.")

2. * Peddling and canvassing by all persons whatsoever are prohibited in all offices and buildings of the Department, wherever located. The distribution of handbills and sale of tickets, by employees of the Department, is permitted provided such action is directly related to employee activities sponsored or authorized by the administrations, bureaus, or offices of the Department.

1577 (cont.) Employees in charge of rooms will see that this Regulation is strictly enforced. In Washington, violations of this Regulation should be reported immediately to the Office of Plant and Operations. At field stations or offices the Custodian of the building should be notified. * (See also Personnel Circular No. 123, dated August 26, 1942.)

1578. Analyses for Private Parties Prohibited. Unless otherwise provided for by law, the Department will make no examinations, tests, or analyses of waters, soils, fertilizers, foods, * chemicals, * insecticides, proprietary articles or materials, or other miscellaneous products for private parties.

1579. Representation in Proceedings Before the Department

1. In any proceeding before the Department, the parties may appear in person or by counsel or other representative. Persons who appear as counsel or in a representative capacity at a hearing must conform to the standards of ethical conduct required of practitioners before the courts of the United States. Whenever the Secretary finds, after notice and opportunity for hearing, that a person who is acting or has acted as counsel or representative for another person in any proceedings before the Department is guilty of unethical conduct, he will order that such person be precluded from acting as counsel or representative in any proceeding before the Department.

2. No former officer or employee of the Department of Agriculture shall, within two years after termination of his employment, be permitted to practice or appear, or to act as an attorney or agent, in any case, claim, contest, or other proceeding before the Department, or before any office, bureau, or agency thereof.

3. This regulation shall not be construed to prevent any former officer or employee of the Department from appearing as a witness in any hearing, investigation, or other proceeding before the Department.

1580. Projects not to Be Named After Living Persons. No undertaking or project of the Department, such as a research laboratory, national forest, resettlement project, building, farm, or station, shall be named after any living person, except as otherwise provided by law.

1573. Membership in Military or Naval Organizations. Employees of the Department are authorized to accept appointments as officers in the Army of the United States, Naval Reserve, or Marine Corps Reserve, provided such appointments are approved by the chief of the bureau or office concerned, or by such officer or officers as he may designate for the purpose. Before refusing to grant such approval, bureaus and offices shall secure the concurrence of the Director of Personnel.

No restrictions are imposed by the Department on membership in other Federal or State military or naval organizations.

1574. Official Badge. Official badges of this Department shall be issued to employees for identification purposes only.

Bureaus will purchase from their appropriations such badges as may be necessary to meet their requirements, but before placing any order for dies a drawing of the proposed badge will be submitted for approval to the Chief, Office of Plant and Operations, together with specifications describing material, size, shape and insignia.

Each bureau should maintain a record of the distribution of its badges. Employees must return official badges when their services are terminated. (1227)

1575. Display of Advertising Matter. The display of advertising matter in offices and laboratories of the Department, including advertising calendars, is prohibited.

1576. Personal Articles Lost or Found. All personal articles found by employees in the buildings or premises of the Department in the District of Columbia should be delivered to the Guard Office to await claim of ownership. Employees who may lose such articles in the places named should report the fact to the Guard Office.

1577. Contributions; Peddling. No circulation of subscription lists, or other methods of collecting contributions from employees of the Department of Agriculture for outside organizations will be permitted. Welfare organizations of the Department itself must secure approval in Washington, D. C. of the Chief, Office of Plant and Operations, and at field stations or offices, of the head of the station or office, before undertaking the collection of contributions.

Peddling, canvassing, and selling tickets are prohibited in all buildings of the Department. Employees in charge of rooms will see that this Regulation is strictly enforced. In Washington, D. C., cases should be reported immediately to the Chief, Office of Plant and Operations of the Department and at field offices or stations the custodian of the building should be notified. (See also Regulation 1543.)

1578. Analyses for Private Parties Prohibited. Unless otherwise provided for by law, the Department will make no examinations, tests, or analyses of waters, soils, fertilizers, foods, drugs, insecticides, proprietary articles or materials, or other miscellaneous products for private parties.

DEPARTMENT OF AGRICULTURE
WASHINGTON

AMENDMENT TO THE REGULATIONS

Amendment No. 136 October 31, 1941

On the reverse side of this page appears a revision of Regulation 1573, entitled "Membership in Military or Naval Organizations," which supersedes Amendment No. 55, and is promulgated effective immediately.

The purpose of the revision is to expedite the approval of the appointment of employees of the Department as officers in the various military and naval organizations.

No changes in the Table of Contents or in the index will be necessary.

Claude R. Wickard
Secretary

AMENDMENT TO THE REGULATIONS

Amendment No. 137 November 17, 1941

There appears on the reverse side of this page a revision of Regulation 1576, entitled "Personal Articles Lost or Found," which is promulgated effective immediately.

The revision changes the place to which personal articles found by employees on the premises of the Department in the District of Columbia should be delivered, and the place to which the loss of personal articles on such premises should be reported, from the Office of Plant and Operations to the Guard Office.

No change in the Table of Contents will be necessary. The following addition, however, should be made to the Index:

Guard Office, articles, personal, lost or found - - - - - - - 1576

Grover B. Hill
Assistant Secretary

Miscellaneous

1579. *Representation in Proceedings Before the Department.

1. In any proceeding before the Department, the parties may appear in person or by counsel or other representative. Persons who appear as counsel or in a representative capacity at a hearing must conform to the standards of ethical conduct required of practitioners before the courts of the United States. Whenever the Secretary finds, after notice and opportunity for hearing, that a person who is acting or has acted as counsel or representative for another person in any proceedings before the Department is guilty of unethical conduct, he will order that such person be precluded from acting as counsel or representative in any proceeding before the Department.*

2. No former officer or employee of the Department of Agriculture shall, within two years after termination of his employment, be permitted to practice or appear, or to act as an attorney or agent, in any case, claim, contest, or other proceeding before the Department, or before any office, bureau, or agency thereof.

3. This regulation shall not be construed to prevent any former officer or employee of the Department from appearing as a witness in any hearing, investigation, or other proceeding before the Department.

1580. Projects not to Be Named After Living Persons. No undertaking or project of the Department, such as a research laboratory, national forest, resettlement project, building, farm, or station, shall be named after any living person, except as otherwise provided by law.

1579. Former Employees Acting as Agents or Attorneys.- No former officer or employee of the Department of Agriculture shall, within two years after the termination of his employment, be permitted to practice or appear, or to act as an attorney or agent, in any case, claim, contest, or other proceeding before the Department, or before any office, bureau, or agency thereof.

This regulation shall not be construed to prevent any former officer or employee of the Department from appearing as a witness in any hearing, investigation, or other proceeding before the Department.

DEPARTMENT OF AGRICULTURE

WASHINGTON

June 9, 1938

AMENDMENT TO THE REGULATIONS

Amendment No. 62

There appears on the reverse side of this sheet an addition to the Regulations of the Department which has been designated as regulation 1579, and entitled "Former Employees Acting as Agents or Attorneys".

This regulation is promulgated effective immediately.

All copies of the Regulations of the Department should be modified by the addition of the title of this regulation in the appropriate place in the Table of Contents, and the following items to the Index:

"Agents, former employees
acting as - - - - - - - - - - 1579
Attorneys, former employees
acting as - - - - - - - - - - 1579
Employees, former, acting as
agents or attorneys - - - - 1579"

H A Wallace

Secretary.

1611. Department Style Manual. Employees responsible for the preparation of correspondence shall follow the specific rules given in the Department Style Manual.

1612. Preparation of Letters for Signature in the Office of the Secretary.

1. Prompt Reply Required. Replies to letters received in the bureaus or referred to them by the Secretary's Office, shall be made within three days after receipt in the Department. If for any reason a complete reply cannot be made within that time, an acknowledgment letter stating approximately when a complete reply will be made shall be prepared.

A designated employee of each bureau shall be responsible for recording all letters referred by the Secretary's Office for the preparation of a reply, for conducting a systematic follow-up within the bureau, and for reporting to the Secretary's files on those that cannot be answered within the required time.

2. Letters to Other Departments and Agencies. Letters originating in this Department, to the heads of executive departments, independent establishments, or other Government agencies shall be prepared for the signature of the Secretary if matters of policy or questions of considerable importance are involved, or for the signature of the appropriate director if the letter relates to routine matters.

Replies to letters addressed to this Department by another department or agency shall be prepared for the signature of the official indicated on the pink jacket. (See Department Style Manual.)

In general, replies to letters received from an Acting Secretary or an Assistant Secretary should be addressed to the Secretary of the Department involved and not to the Acting or Assistant Secretary who signed the incoming letter.

All communications from this Department to the Office of Government Reports relating to proposed State legislation shall be addressed to the Director of the Office of Government Reports for the signature of the Secretary. (See also Regulation 2111.)

1613. Clearance of Letters and Official Documents. The following instructions pertain to letters and official documents which are for signature in the Office of the Secretary.

1. Proposed Legislation. All requests for recommendations of, or reports on, proposed legislation shall be referred to the Director of Finance for transmission to the Director of the Bureau of the Budget before being finally transmitted to Congress. (See also Regulation 1423.)

2. Letters to Comptroller General. All letters to the Comptroller General shall clear through the Office of the Solicitor and the Office of Budget and Finance for initialing before being submitted to the Secretary for signature. (See also Regulation 3111.)

3. Legal Matters. Letters involving legal matters prepared for signature by the Secretary shall be referred to the Solicitor for initialing before transmittal to the Secretary's Office.

DEPARTMENT OF AGRICULTURE
WASHINGTON

AMENDMENT TO THE REGULATIONS

Amendment No. 124

April 24, 1941

A revision of Regulations 1611, 1612, 1613, and 1614 on Department Correspondence appears on the reverse of this and the succeeding sheet. The changes consist in the rearrangement of the Regulations and the deletion of material now included in the Department Style Manual.

This amendment supersedes Amendment No. 44, dated September 14, 1937, and is promulgated effective immediately.

The following changes should be made in the Table of Contents and in the Index:

Table of Contents

Changes: 1611. From "Letters for Signature of the Secretary" to "Department Style Manual"

1612. From "Letters for Signature of Chiefs of Bureaus" to "Preparation of Letters for Signature in the Office of the Secretary"

1613. From "Prompt Attention to Correspondence" to "Clearance of Letters and Official Documents"

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Congress, method of addressing members of	1611
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Enclosures with letters	1611
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Letters, prompt attention	1613	1612
Prompt attention to correspondence	1613	1612
Solicitor, to review legal correspondence	1611	1613

Paul H. Appleby

4. Initialing Letters. The initials of the chief, acting chief, or other authorized official of all bureaus or offices concerned shall be written in ink or indelible pencil in the lower right corner of the last page of the salmon copy. Others to whom such letters may be referred by the Secretary's Office shall also initial in the lower right corner of the salmon copy.

5. Initialing Official Documents. When contracts, fiscal papers, and similar documents for which salmon copies are not prepared, are submitted to the Secretary for signature the initials of the chief of bureau or other authorized bureau official shall appear on the document itself immediately below the line upon which the Secretary will sign.

1614. Cooperation in Correspondence Pertaining to More than One Bureau. A request for information concerning the technical work or administrative policies of more than one bureau shall be answered by the receiving bureau regarding its own work, with a statement indicating the other bureau or bureaus to which the letter is being referred for further reply. The reference to each bureau concerned shall include the original or a copy of the correspondent's inquiry together with copies of the replies of all other bureaus in order that the bureau to which reference is made may be informed of the action already taken.

When the matter to be dealt with by another bureau is of minor character it is ordinarily sufficient for the bureau receiving the inquiry to secure the necessary information from the other bureau by telephone or in such other informal way as will insure dispatch in order that the correspondent may be given a complete reply promptly. (See also Regulation 1613, paragraph 4.)

Department Correspondence

1615. Communication with Extension Agents. *Subject to the provisions of Regulation 1616,* all questionnaires, requests for statistical information, and like matters involving the use of the extension system shall be handled through the Director of Extension Work. This office, in cooperation with the State agricultural colleges, shall represent the Department in the development and conduct of the extension work and will cooperate with the bureaus of the Department in all matters that may be properly taken up with the extension agents.

1616. *Approval of Questionnaires and Other Inquiries.*

1. *Statement of Policy. The Federal Reports Act of 1942 states that it is "the policy of the Congress that information which may be needed by the various Federal agencies should be obtained with a minimum burden upon business enterprises (especially small business enterprises) and other persons required to furnish such information, and at a minimum cost to the Government, that all unnecessary duplication of efforts in obtaining such information through the use of reports, questionnaires, and other such methods should be eliminated as rapidly as practicable; and that information collected and tabulated by any Federal agency should insofar as is expedient be tabulated in a manner to maximize the usefulness of the information to other Federal agencies and the public." (Section 2.)*

2. *Definitions. In this regulation:

The term "person" means any individual, partnership, association, corporation, business trust, or legal representative, any organized group or persons, any State or Territorial government or branch thereof, or any political subdivision of any State or Territory or any branch of any such political subdivision.

The term "plan" means any requirement that any person establish or maintain records for the purpose of providing information, or any requirement respecting the completion, answering, or return of a report form.

The term "report form" means any application form or other administrative form, schedule, questionnaire, letter, telegram, or other similar device used in collecting information, including schedules or other forms used in oral interviews.*

3. *Approval of Questionnaires, etc.

a. No agency of the Department shall collect or sponsor the collection of information, upon identical items, from ten or more persons (other than Federal employees considered as such) unless the plans and report forms to be used in such collection have been approved by the Chief of the Bureau of Agricultural Economics. Material changes in plans or report forms or in their use, including material changes in the kind or amount of information sought, the number or classes of respondents, or the time or frequency of reporting, shall also be submitted to the Chief of the Bureau of Agricultural Economics for approval. Approval may be withdrawn if circumstances warrant.

b. Report forms which call for information of an identical nature from agencies, employees, or instrumentalities of the Federal Government, which is to be used for statistical compilations of general public interest, including compilations showing the status or

1616 (cont.) implementation of Federal activities and programs, are to be submitted to the Chief of the Bureau of Agricultural Economics for transmission to the Division of Statistical Standards, Bureau of the Budget.

c. The Chief of the Bureau of Agricultural Economics shall transmit to the Division of Statistical Standards, Bureau of the Budget, plans and report forms which he has approved under paragraph 3a, as well as the report forms referred to under paragraph 3b. Plans and report forms required to be transmitted to the Division of Statistical Standards may not be used unless they bear an unexpired Bureau of the Budget approval number.

d. Three copies of the plans or report forms for which approval is requested shall be submitted to the Chief of the Bureau of Agricultural Economics, together with three copies of Budget Bureau Form 37 (Revised) and of the statements required thereby. The Chief of the Bureau of Agricultural Economics may require such other information as he finds necessary.*

4. *Matters to be Considered in Giving Approval.

a. Before approving a plan or report form, under paragraph 3, the Chief of the Bureau of Agricultural Economics shall determine:

(1) That the proposed inquiry is justified, taking into account, on the one hand, the burden on respondents and, on the other hand, the need for collection of the information.

(2) That the information will be utilized.

(3) That the number of respondents, frequency of collection, number and difficulty of items, and other requirements, cannot well be reduced.

(4) That adequate information is not already available in the Department or in other government agencies or in process of collection.

b. Before giving or withholding approval, the Chief of the Bureau of Agricultural Economics shall discuss the proposed plan or report form with other agencies of the Department which may be concerned.

c. As a condition of approval, the Chief of the Bureau of Agricultural Economics may require that additional items of information be collected, if this will make it unnecessary to make an additional inquiry or inquiries at a later date or if there is other adequate justification.*

5. *Review of Decisions. If the Chief of the Bureau of Agricultural Economics does not approve a proposed plan or report form, the agency concerned may request the Secretary or the War Food Administrator to review the decision.*

6. *Local Emergencies. Any bureau whose field offices may in emergencies be obliged to issue local report forms should submit to the Chief of the Bureau of Agricultural Economics a request for exemption from the requirements of paragraph 3.*

7. *Release of Information.

a. The Federal Reports Act directs all Federal agencies to cooperate

1616 (cont. 2) to the fullest practicable extent in making information obtained from any person available to other Federal agencies. The Director of the Bureau of the Budget is authorized to require such action. (Section 3 (e).)

b. The Act also provides:

"Sec. 4. (a) In the event that any information obtained in confidence by a Federal agency is released by that agency to another Federal agency, all the provisions of law (including penalties) which relate to the unlawful disclosure of any such information shall apply to the officers and employees of the agency to which such information is released to the same extent and in the same manner as such provisions apply to the officers and employees of the agency which originally obtained such information; and the officers and employees of the agency to which the information is released shall in addition be subject to the same provisions of law (including penalties) relating to the unlawful disclosure of such information as if the information had been collected directly by such agency.

"(b) Information obtained by a Federal agency from any person or persons may, pursuant to this Act, be released to any other Federal agency only if (1) the information shall be released in the form of statistical totals or summaries; or (2) the information as supplied by persons to a Federal agency shall not, at the time of collection, have been declared by that agency or by any superior authority to be confidential; or (3) the persons supplying the information shall consent to the release of it to a second agency by the agency to which the information was originally supplied; or (4) the Federal agency to which another Federal agency shall release the information has authority to collect the information itself and such authority is supported by legal provision for criminal penalties against persons failing to supply such information."*

8. *Penalties for Failure to Furnish Information. "Any person failing to furnish information required by any [Federal] agency shall be subject to such penalties as are specifically prescribed by law, and no other penalty shall be imposed either by way of fine or imprisonment or by the withdrawal or denial of any right, privilege, priority, allotment, or immunity, except when the right, privilege, priority, allotment, or immunity is legally conditioned on facts which would be revealed by the information requested." (Section 8.)*

9. *Responsibilities of Other Staff Offices. Contacts with divisions of the Bureau of the Budget other than the Division of Statistical Standards, when necessary in the administration of this regulation, will be made through regular Department channels. (See Regulations 1111, 1423.) Questions which arise in connection with the consideration of plans and report forms and which involve budgetary, fiscal, personnel, organizational, or other staff functions, shall be referred by the Chief of the Bureau of Agricultural Economics to the proper staff office or handled in cooperation with such office.*

10. *The Chief of the Bureau of Agricultural Economics may delegate to an official of the Bureau the responsibilities vested in him by this regulation.*

(56 Stat. 1078; 5 U.S.C. (1940 ed.) Sup. 2, sec. 139. Regulation A, Bureau of the Budget.)

1615. Communication with Extension Agents. All questionnaires, requests for statistical information and like matters involving the use of the extension system shall be handled through the director of extension work. This office, in cooperation with the State agricultural colleges, shall represent the Department in the development and conduct of the extension work and will cooperate with the bureaus of the Department in all matters that may be properly taken up with the extension agents.

1616. Questionnaires, Circular Letters, Etc.

1. Clearance by the Department and the Division of Statistical Standards of the Bureau of the Budget. All questionnaires, circular letters, and other inquiries requesting information from various outside groups, such as farmers, educational institutions, bankers, manufacturers, merchants, public officials, etc., shall be cleared, prior to circulation, by the Statistics Committee of the Department. Bureaus whose field offices may in emergencies be required to issue local questionnaires should make special arrangements with the Committee for the circulation of such inquiries without clearance in advance.

The Statistics Committee shall cooperate with the Division of Statistical Standards in the Bureau of the Budget and clear the questionnaires and other report forms with that division when necessary. Negotiations with offices of the Budget Bureau other than the Division of Statistical Standards, when necessary in the administration of this Regulation, will be made through regular Department channels. (See Regulations 1111, 1423, and 1611.)

The clearance function shall consist in checking for the availability of the data and in ascertaining (a) that the inquiry does not duplicate a similar or a related request which is being or has been sent out, and (b) that other governmental agencies concerned with the same subject matter have been given an opportunity to examine the proposed questionnaire to determine whether additional information is desired or whether an addition to questionnaires which they are using would obtain the information more advantageously.

2. Preparation of Request for Clearance. A request for clearance should state briefly the necessity for and the purpose of the inquiry, the number of respondents, and the names of the groups to be circularized. The requests should be issued over the signature of the chief or acting chief of the initiating bureau, except when for some justifiable reason another official is specifically authorized, and should be transmitted in triplicate on forms prescribed by the Statistics Committee.

The bureau originating a questionnaire, circular letter, or similar inquiry should ascertain, insofar as practicable for the individual bureau, that the information is not already available. Inquiries should be sent out only where actually necessary.

DEPARTMENT OF AGRICULTURE

WASHINGTON

November 4, 1940

AMENDMENT TO THE REGULATIONS

Amendment No. 105

There appears on the reverse side of this sheet a revision of Regulation 1616, entitled "Questionnaires, Circular Letters, Etc.," which is promulgated effective immediately. This Amendment supersedes Amendment No. 45, dated September 14, 1937, and Budget and Finance Memorandum No. 96, dated April 6, 1938.

The revision has been made for the following reasons:

1. The questionnaire clearance functions of the Department have been transferred from the Office of Budget and Finance to the Department Statistics Committee.

2. The Central Statistical Board has been transferred to the Bureau of the Budget where it is now known as the Division of Statistical Standards.

3. The provisions of the Regulation have become obsolete through Bureau of the Budget Circular No. 360, dated June 18, 1940; Secretary's Memorandum No. 829, dated June 2, 1939; and memoranda issued by the Department Statistics Committee.

The revised Regulation is designed to leave specific details governing the review and clearance of questionnaires, etc., to the Department Statistics Committee, working in collaboration with the Division of Statistical Standards in the Bureau of the Budget, and with other statistical agencies of the Government.

The following changes should be made in the Index:

Additions:

Budget Bureau (Division of Statistical Standards), review of questionnaires, etc., by - - - - - - - - - - 1616
Department Statistics Committee, review of questionnaires, etc., by - - - - - - - - - - - - - - - 1616
Statistical Standards, Division of, Budget Bureau, review of questionnaires, etc., by - - - - - 1616

Deletions:

Central Statistical Board, review of questionnaires, etc. - 1616

Paul H. Appleby

Acting Secretary.

FOREIGN AND TERRITORIAL CORRESPONDENCE

1621. Foreign Correspondence. The Director of Foreign Agricultural Relations is authorized to issue all necessary instructions on the handling of foreign correspondence.

1624. Territorial Correspondence. Correspondence with officers of other executive Departments stationed in territories or territorial possessions shall be transmitted through the heads of such Departments. Correspondence with territorial officials of Alaska, Hawaii, the Philippines, Puerto Rico, and the Virgin Islands, shall be transmitted through the Secretary of the Interior. This Regulation shall not apply to correspondence written by officials of the Department of Agriculture stationed or traveling in such territories nor to routine, technical, or scientific correspondence emanating from field offices.

DEPARTMENT OF AGRICULTURE

WASHINGTON

AMENDMENT TO THE REGULATIONS

Amendment No. 122 April 12, 1941

There appears on the reverse side of this sheet a revision of the Regulations governing foreign correspondence, which is promulgated effective immediately.

Regulation 1621 has been revised to authorize the Director of Foreign Agricultural Relations to issue instructions on the handling of foreign correspondence; Regulations 1622 and 1623 have been deleted.

This amendment supersedes Amendment No. 96, dated January 22, 1940, insofar as it pertains to Regulations 1621, 1622, and 1623.

The following changes should be made in the Table of Contents and in the Index:

Table of Contents

Changes:

1621. From "Correspondence with Foreign Governments and International Governmental Organizations"

To "Foreign Correspondence"

Deletions:

1622. Correspondence with the Department of State and the Foreign Service of the United States

1623. Authority for Waiver

Index

Deletions:

Agriculture, International Institute of,
correspondence with - - - - - - - - - - - - - - - - - - 1621

Consular Officers,
American, correspondence with - - - - - - - - - - - - 1622
foreign, correspondence with - - - - - - - - - - - - 1621

Correspondence,
foreign, diplomatic officers - - - - - - - - - - - - 1621
International Institute of Agriculture - - - - - - 1621

Diplomatic officers, foreign correspondence with - - 1621

Foreign, government officials, correspondence - - - - 1621

International Governmental Organization,
correspondence with - - - - - - - - - - - - - - - - - - 1621

State Department, correspondence through - - - - - - 1622

Additions:

Correspondence, foreign - - - - - - - - - - - - - - - - 1621

Foreign Agricultural Relations, director, duties - - 1621

Foreign correspondence - - - - - - - - - - - - - - - - 1621

Paul H. Appleby

Acting Secretary.

STATIONERY

1631. Standardization of Department Stationery.- Orders for printed letter-heads shall be made upon the Public Printer through the office of publications.

The printing will be arranged in three lines, as follows:

United States Department of Agriculture
Bureau of _____
Washington, D. C.

The type to be used should be gothic, 8-point for the first line, 6-point for the second line, and 5-point for the third line.

When authorized by the chief of bureau, the official designation of a subordinate office may appear in the upper left-hand corner in 5-point gothic type, as follows:

United States Department of Agriculture
Bureau of _____
Washington, D. C.

_____ Division

Letterheads of half size (8 by 5 1/4 inches) or two-thirds (8 by 7 inches) may be used for brief informal and intradepartmental correspondence but should not be used for formal or interdepartmental correspondence.

No individual's name shall appear on any letter-head used in the Department.

Domestic Mail

1641. Receipt and Dispatch of Mail. The Office of Plant and Operations shall be responsible for the receipt, distribution, and dispatch of official mail in the Department in Washington, D. C. ***

1642. Registered Mail.

1. Official mail sent from Washington may be registered free of charge. An employee whose permanent headquarters is Washington, may while temporarily absent therefrom, register official letters or packages without the payment of any registry fee; but such registered mail should be endorsed over his signature "Temporarily absent from Washington, D. C."

2. The privilege of free registration of official mail extended by law should be taken advantage of only when registration of mail is necessary because of money or other equivalent contents, or because of unusual importance. Large shipments and packages of documents, reports, and similar matter should be sent as fourth-class matter or by express or freight, as the case may be. Since free registration is not accorded mail sent by employees permanently stationed outside of Washington, the regular fee must be paid on mail the importance of which warrants registration.

3. Mailable first-, second-, third-, and fourth-class matter for domestic destination may be registered and mailed under the penalty privilege if sealed and within the weight limitations on penalty privilege mail.

4. Demand for return registry receipts should be made only when such evidence of receipt by addressee is necessary as a part of the record in formal proceedings.

1643. Insured Mail.

1. When articles meeting the requirements as to class (Fourth), weight, and size, are to be transported at Government expense and it has been administratively determined that it is necessary to establish a record of the delivery, the shipper or contractor may be instructed to insure such articles at a minimum value declaration.

2. Where a shipper or contractor, acting on his own responsibility or on instructions, sends an article to be transported at Government expense by parcel post, prepaid and insured, the cost of the insurance may be added to the invoice of such shipper or contractor, but must be supported by an itemized statement as to the insurance charges.

1641. Receipt and Dispatch of Mail. The Communications Division, Office of Plant and Operations, shall be responsible for the receipt, distribution and dispatch of official mail in the Department in Washington, D. C.

Only first-class mail shall be accepted for dispatch after 2:00 p.m. When circumstances require the dispatch of mail of other classes after 2:00 p.m., special arrangements shall be made with the Clerk-in-Charge of the Department Post Office.

Registered mail shall be delivered to the Department Post Office for dispatch not later than one-half hour before the close of the office day.

Mail requiring postage shall be accompanied by a Mail Order (Standard Form A.D. 19 - Revised) in triplicate signed by a responsible officer of the bureau or office from which it emanates.

1642. Registered Mail. Official mail sent from Washington may be registered free of charge. An employee whose permanent headquarters is Washington, may while temporarily absent therefrom, register official letters or packages without the payment of any registry fee; but such registered mail should be endorsed over his signature "Temporarily absent from Washington, D. C."

The privilege of free registration of official mail extended by law should be taken advantage of only when registration of mail is necessary because of money or other equivalent contents, or because of unusual importance. Large shipments and packages of documents, reports, and similar matter should be sent as fourth-class matter or by express or freight, as the case may be. Since free registration is not accorded mail sent by employees permanently stationed outside of Washington, the regular fee must be paid on mail the importance of which warrants registration.

Mailable first-, second-, third-, and fourth-class matter for domestic destination may be registered and mailed under the penalty privilege if sealed and within the weight limitations on penalty privilege mail.

Demand for return registry receipts should be made only when such evidence of receipt by addressee is necessary as a part of the record in formal proceedings.

1643. Insured Mail. When articles meeting the requirements as to class (Fourth), weight, and size, are to be transported at Government expense and it has been administratively determined that it is necessary to establish a record of the delivery, the shipper or contractor may be instructed to insure such articles at a minimum value declaration.

Where a shipper or contractor, acting on his own responsibility or on instructions, sends an article to be transported at Government expense by parcel post, prepaid and insured, the cost of the insurance may be added to the invoice of such shipper or contractor, but must be supported by an itemized statement as to the insurance charges.

DEPARTMENT OF AGRICULTURE

WASHINGTON

December 11, 1940

AMENDMENT TO THE REGULATIONS

Amendment No. 114

There appear on the reverse side of this page and on succeeding pages, changes in Regulations 1641, 1647, and 1651, which are promulgated effective immediately.

These Regulations have been revised to include changes in procedure and to clarify certain ambiguities in the present Regulations. The title of Regulation 1641 has been changed from "Arrival and Departure of Mails" to "Receipt and Dispatch of Mail."

The following changes should be made in the Table of Contents and in the Index:

Table of Contents

Changes:

1641 from "Arrival and Departure of Mails" to "Receipt and Dispatch of Mail"

Index

Changes:

Under Mail

"arrival and departure" to "receipt and dispatch"

Deletions:

Air Mail - - - - - - - - - - - - - - - - - - 1641

Under Mail

"air mail," "domestic"

Paul H. Appleby Acting Secretary.

May 12, 1938

AMENDMENT TO THE REGULATIONS

Amendment No. 59

There appears on the reverse side of this sheet a substitute for a regulation of the Regulations of the Department, namely, 1643, entitled "Insured Mail."

As the present regulation was written on an erroneous premise same has been eliminated.

The regulation as now written provides for the insurance of parcel post packages under certain conditions, and for the procedure to be followed by a shipper or contractor, who sends an article to

1644. Forwarding of Mail to Employees Outside of District of Columbia. All mail matter, including second-, third-, and fourth-class matter, addressed to employees of the Department whose addresses have been changed by official orders, may be forwarded without payment of additional postage if marked "Change of address caused by official orders." (See also Regulation 3182.)

1645. Use of Penalty Envelopes, Labels, Etc. The use of penalty envelopes to avoid payment of postage on other than strictly official business is absolutely prohibited. Penalty envelopes, labels, etc., containing official mail matter must bear the words "Official business."

Under the provisions of section 615 of the Postal Laws and Regulations penalty envelopes, labels, etc., containing or attached to official mail matter shall contain the following indicia in the relative positions indicated for use in the District of Columbia:

Department Bureau of _____ Wash., D. C. _____ Official Business	Penalty for private use to avoid payment of postage, $300

or for the field offices:

Department Bureau of _____ _____ _____ Official Business	Penalty for private use to avoid payment of postage, $300

When an employee of the Department writes to a private party on official business for information of value to the Department he may enclose with his letter an official envelope properly addressed to himself to cover the reply.

Penalty envelopes or penalty labels must not be furnished merchants or others from whom articles are purchased for the delivery of such articles by mail, nor shall penalty envelopes be furnished by any employee of the Department to persons not in the employ thereof, or who are not employees of the Government, for transmission through the mails, free of postage, of any other matter other than official information and endorsements relating thereto. Penalty envelopes addressed to the Department may, however, be furnished to publishers to be used by them in transmitting copies of their publications for which no charge is made when such publications contain official information of value to the Department. Penalty envelopes bearing a return address may also be supplied to persons in possession of public documents for use by them in returning such documents to the Department. (1301, 1782)

be transported at Government expense by parcel post, prepaid and insured, and thereafter desires reimbursement for the cost of such insurance.

The provisions of the substituted regulation are promulgated effective immediately.

Inasmuch as the title of the paragraph is included in the Table of Contents no changes in same are necessary. The following item should be added to the Index:

Parcel post mail, insuring of - - - - - - - - - - - 1643

H A Wallace

Secretary.

Domestic Mail

1646. Mailing of Pamphlets or Reports Accompanied by Letters.

1. In order to expedite and safeguard the movement through the mails of any report, pamphlet, or similar material with which it is necessary to enclose an explanatory letter, the containing envelope should be carefully sealed and the words LETTER MAIL conspicuously written or stamped on its face. In offices where material to be dispatched by post is separated into letter mail and package mail, pains should be taken to include in the former all envelopes sealed and marked as above.

2. An indiscriminate use, however, of the "Letter Mail" notation particularly on foreign mail requiring postage, must be avoided. Only material accompanied by a communication clearly subject to lettermail transmittal should be so treated.

1647. Packages Mailed Under Penalty Privilege.

1. *Official matter weighing less than four pounds may be mailed under Government frank. Matter weighing more than four pounds, except as specified in paragraph two, must carry prepaid postage at the fourth-class mail rate.*

2. *The following classes of matter may be mailed und r Government frank even though the package weighs more than four pounds:

a. Printed or written official matter mailed at Washington, D.C. by any Department or by the Smithsonian Institution.

b. Books or documents published or circulated by order of Congress.

c. Single books, packages of postage stamps, stamped envelopes, newspaper wrappers, postal cards, and internal revenue stamps.*

3. *Packages must not exceed the size and weight limits prescribed for parcel post shipments. Material that would ordinarily be sent as a single package must not be split to avoid payment of postage. (Postal Laws and Regulations, Paragraphs 578 and 618)*

1648. Mail Sacks; Improper Use. The use of the United States mail sacks for storing records, books, and any other matter, and the dragging of filled mail sacks over floors and pavements in handling, is prohibited. The contents of mail sacks should be removed immediately upon receipt and the sacks returned to the Post Office Department.

1649. Agricultural Extension Correspondence and Publications Entitled to Free Transmission in Mails. Upon designation to the Postmaster General by the Secretary of Agriculture of a college officer or other person connected with the extension department of a State agricultural college receiving the benefits of the act of July 2, 1862, as amended, by whom the correspondence, bulletins, and reports are to be transmitted, the third Assistant Postmaster General shall authorize the postmaster at the post office where the extension department of such college is located to accept from the officer or person so designated such correspondence, bulletins, and reports for free transmission in the mails. Only such correspondence, bulletins, and reports as relate to instruction and practical demonstrations in agriculture and home economics addressed to persons not attending or residents in said colleges in the several communities, and are mailed at the authorized post office by the college officer, or other person duly designated, may be transmitted free. (486, 1301, 1787)

1646. Mailing of Pamphlets or Reports Accompanied by Letters. In order to expedite and safeguard the movement through the mails of any report, pamphlet, or similar material with which it is necessary to enclose an explanatory letter, the containing envelope should be carefully sealed and the words LETTER MAIL conspicuously written or stamped on its face. In offices where material to be dispatched by post is separated into letter mail and package mail, pains should be taken to include in the former all envelopes sealed and marked as above.

An indiscriminate use, however, of the "Letter Mail" notation particularly on foreign mail requiring postage, must be avoided. Only material accompanied by a communication clearly subject to lettermail transmittal should be so treated.

1647. Limit of Weight of Packages Mailed Under Penalty Privilege. The act of May 8, 1916, provides that no article or package exceeding four pounds in weight shall be admitted to the mails under the penalty privilege unless it comes within the following exceptions:

"Single books, books and documents published or circulated by order of Congress, printed or written official matter emanating from any of the departments of the Government or from the Smithsonian Institution at Washington, D. C., and postage stamps, stamped envelopes, newspaper wrappers, postal cards and internal revenue stamps."

Official matter exceeding 4 pounds in weight not embraced in the exceptions, and not exceeding the limit of weight prescribed for parcel post shipments, must carry prepaid postage on the total weight of the package at the rate prescribed for fourth-class mail. Material that would ordinarily be sent as a single package must not be split to avoid payment of postage.

1648. Mail Sacks; Improper Use. The use of the United States mail sacks for storing records, books, and any other matter, and the dragging of filled mail sacks over floors and pavements in handling, is prohibited. The contents of mail sacks should be removed immediately upon receipt and the sacks returned to the Post Office Department.

1649. Agricultural Extension Correspondence and Publications Entitled to Free Transmission in Mails. Upon designation to the Postmaster General by the Secretary of Agriculture of a college officer or other person connected with the extension department of a State agricultural college receiving the benefits of the act of July 2, 1862, as amended, by whom the correspondence, bulletins, and reports are to be transmitted, the third Assistant Postmaster General shall authorize the postmaster at the post office where the extension department of such college is located to accept from the officer or person so designated such correspondence, bulletins, and reports for free transmission in the mails. Only such correspondence, bulletins, and reports as relate to instruction and practical demonstrations in agriculture and home economics addressed to persons not attending or residents in said colleges in the several communities, and are mailed at the authorized post office by the college officer, or other person duly designated, may be transmitted free. (486, 1301, 1787)

1651. Mail to Foreign Countries. Mail entitled to transmission free of postage in the domestic mails of the United States is also entitled to transmission free of postage between the United States and its territorial possessions, between territorial possessions, and between the United States and certain foreign countries listed in the United States Official Postal Guide. Official mail to foreign countries other than those listed in the Postal Guide as eligible for free transmission in the mails under the penalty privilege must carry appropriate postage.

1652. Letters of Introduction. Official letters of introduction for use in connection with travel abroad will not be issued except in rare instances, where it is apparent that the issuance of such letters will further the interests of the Department. Chiefs of bureaus or other officials who desire to issue such letters over their own signature or to secure the signature of the Secretary thereon will submit a draft of the proposed letter and a memorandum of the circumstances to the Director of Personnel for approval. Requests for letters of introduction should contain the name of the traveler, title, countries to be visited with approximate dates, and the purpose of the trip and other necessary information. (Amendment No. 1, 7-1436.)

DEPARTMENT OF AGRICULTURE

WASHINGTON

Amendment No. 114, dated December 11, 1940, to Regulation 1651 appears on the reverse side of Regulation 1641.

July 14, 1936

AMENDMENT TO THE REGULATIONS

Amendment No. 1

There appears on the reverse side of this sheet a paragraph, No. 1652, entitled "Letters of Introduction," which is added to the Regulations of the Department, effective immediately.

All copies of the Regulations should be modified accordingly and the following items should be added to the Table of Contents and the Index:

Table of Contents

1652. Letters of Introduction

Index

Foreign travelers, letters of introduction for - - - - 1652
Introduction, letters of - - - - - - - - - - - - - - - - 1652
Letters of introduction - - - - - - - - - - - - - - - - 1652

R. G. Tugwell

Acting Secretary.

1661. Preparation of Official Documents. The instructions given in the Department Style Manual shall be followed in the preparation of official documents having general applicability and legal effect, such as Proclamations, Executive Orders, and other official papers for publication in the Federal Register. (See also Regulation 1613, paragraph 5)

DEPARTMENT OF AGRICULTURE

WASHINGTON

AMENDMENT TO THE REGULATIONS

Amendment No. 125 April 24, 1941

A revision of the Regulations on Proclamations, Documents, Executive Orders, and Certificates appears on the reverse of this page.

Regulation 1661, "Preparation, Form, and Style of Documents," has been revised to include only a reference to the section of the Department Style Manual which covers instructions on this subject. The title has been changed to "Preparation of Official Documents." Regulation 1662 has been deleted.

This Amendment supersedes Amendment No. 3, dated October 5, 1938, and is promulgated effective immediately.

The following changes should be made in the Table of Contents and in the Index:

Table of Contents

Changes:

Chapter title from "Proclamations, Orders, Etc." to "Official Documents"

1661. From "Preparation, Form and Style of Documents" to "Preparation of Official Documents"

Deletions:

1662. "Preparation, Form and Style of Executive Orders and Proclamations"

Index

Deletions:

Proclamations, wording of - - - - - - - - - - - - - - - - 1661

Additions:

Department Style Manual - - - - - - - - - - - - - - - - - 1661
Documents, preparation of - - - - - - - - - - - - - - - - 1661
Official documents, preparation of - - - - - - - - - - 1661
Proclamations, preparation of - - - - - - - - - - - - - 1661
Style Manual, Department - - - - - - - - - - - - - - - - 1661

Changes:	From	To
Executive Orders, preparation of	1662	1661
Orders, Executive, preparation of	1662	1661

Paul H. Appleby

Acting Secretary.

TELEPHONES

1671. Installation of Telephones in District of Columbia.- No bureau shall enter into negotiations with any telephone company for the installation of any telephone in the District of Columbia except through the superintendent of telegraph and telephone of the Department who will make the necessary arrangements.

1672. Installation of Telephones in Government-owned Residences.- Installation of telephone in Government-owned private quarters of an employee, to receive service through a Department private branch exchange may be authorized but no appropriation of the Department may be expended for telephone service installed in any private residence or private apartment or for tolls or other charges for telephone service from private residences or private apartments, except for long-distance telephone tolls required strictly for the public business as shown by sworn vouchers approved by the head of the bureau. Telephone service rendered through a departmental private branch exchange to private quarters shall be paid for monthly by the employee concerned. [illegible], however, an employee having no other office or official headquarters, uses one or more rooms in his private residence exclusively for office purposes and as a public office, the payment for telephone service installed therein for his official use only is not prohibited. (1740)

1673. Use of Official Telephones for Private Business.- The use of official telephones for outgoing private messages is strictly prohibited; such messages must be sent from the public booths. Important and necessary incoming messages may be received, but supervisory employees of the various bureaus must see that this privilege is not abused.

1674. Long Distance Telephone Calls. Long distance telephone calls may be made only when the business to be transacted is urgent, when mail or telegraph will not serve the purpose, and when the making of such calls is definitely to the interest of the Government. Within these limitations, employees may be authorized to make long distance calls, subject to the discretion of the responsible bureau officers. Calls made in the field to Washington may be reversed and charged to the unit called if official and acceptable to the responsible official in charge.

The act of May 10, 1939, 53 Stat. 738, provides that no appropriation shall be used for the payment of long distance telephone tolls except for the transaction of public business which the interest of the Government requires to be so transacted and unless each voucher, including travel reimbursement vouchers, covering such tolls carries a certification that the use of the telephone in such instances was necessary in the interests of the Government. The Chief of the Office of Plant and Operations, or a duly designated official of that office, is authorized to execute this certification on all vouchers covering long distance telephone tolls paid in Washington, D. C. Such certification shall in all cases be supported by appropriate certifications by responsible bureau officials.

Any officer authorized to certify and approve vouchers is authorized to execute the certification required by 53 Stat. 738 with respect to tolls paid in the field or reimbursed to travelers.

Chiefs of bureaus are responsible for applying such control measures as will ensure compliance with 53 Stat. 738 and will secure the most advantageous use of public funds.

1675. Listing of Field Offices or Stations in Telephone and City Directories. For the convenience of the public and in order to facilitate the transaction of business in a locality where there is more than one field office or station of the Department of Agriculture, the representatives thereof should confer as a group and arrange with the proper authorities of the telephone and city directory companies for carrying in the local directories a consolidated alphabetical listing of the Department by organizations; for example:

Agriculture - U. S. Department of
- Agricultural Adjustment Administration
  - Federal Building - 1600 Main Street
- Agricultural Economics - Bureau of
  - Cotton Classing Board
    - Southern Building - 942 Fourth Street
  - Market News Service
    - Post Office Building - 900 Main Street

(Also telephone number in listing in telephone directory)

Where there are other Federal agencies in the same locality the departmental group, preferably through the Federal Business Association or like organization, should endeavor to arrange for a consolidated listing of all Federal activities, alphabetically by departments, under the heading "United States Government."

Cross listing by individual bureau and activity designations will still be desirable in many cases because of lack of familiarity on the part of the public with the Government organization (See Regulation 1571.)

DEPARTMENT OF AGRICULTURE

WASHINGTON

November 19, 1940

AMENDMENT TO THE REGULATIONS

Amendment No. 110

There appears on the reverse of this sheet a revision of Regulation 1674, entitled "Long Distance Telephone Calls."

This revision has the effect of eliminating the use of Form AD-102, Toll Call Certificate, in Washington. The use of Form AD-102 in the field will remain optional, as set forth in Secretary's Memorandum No. 879 of October 7, 1940.

This amendment becomes effective December 6, 1940 and supersedes Amendment No. 91, dated May 25, 1939, and Budget and Finance Circular 24, Supplement 1, and Budget and Finance Memorandum 160. It amends Budget and Finance Circular 16.

No changes in the Table of Contents or in the Index will be necessary.

Grover B. Hill

Acting Secretary.

January 18, 1938

AMENDMENT TO THE REGULATIONS

Amendment No. 54

There appears on the reverse side of this sheet an addition to the Regulations of the Department which has been designated as Regulation 1675 and entitled "Listing of Field Offices or Stations in Telephone and City Directories."

The purpose of this Regulation which is promulgated effective immediately is to serve the convenience of the public and facilitate the transaction of public business.

All copies of the Regulations of the Department should be modified accordingly.

The following additions should be made to the Table of Contents and the Index:

Table of Contents:

1675. Listing of Field Offices or Stations in Telephone and City Directories

Index:

Directories, field offices to be listed - - - - - - - - 1675
Field stations, listing of in directories - - - - - - - 1675
Listing in directories of field offices - - - - - - - - 1675

H A Wallace

Secretary.

TELEGRAMS, RADIOGRAMS, AND CABLEGRAMS

1681. Telegrams.- Any employee of the Department, when the exigencies of the service or the requirements of his official duty make such action necessary, is authorized to incur expense for telegraph, radio, or cable messages.

Government systems will be utilized whenever practicable and available for the transmission of official dispatches provided the service is reliable and free of charge or less expensive than the commercial systems. Administrative officers, who may be required to send telegrams from Washington to field stations of the Department or from field stations of the Department to Washington or to other points in the field, should familiarize themselves with Division of Operation Circular No. 11, dated September 29, 1937, concerning Government-operated telegraph facilities.

Commercial radiotelegraphic service should be utilized when available and more economical than other services.

The telegraph service should not be used unless the exigencies of the service require a speedier mode of communication than the ordinary mail or air mail afford. Care should be taken to eliminate all unnecessary body words from telegrams. Figures may be expressed in figures or words, five figures or fraction of five figures, including decimals, fraction marks, dashes and ordinal numbers, such as 21st, 22d, will be counted as one word when used in their natural sense. Mixed letters and figures, such as 123ab, (two words), 12d34, (three words), are considered as separate groups. The comma, period, colon, semicolon, dash or hyphen, quotation marks, parentheses, question mark, and apostrophe when employed as such by the sender in messages within the United States will neither be counted nor will any charge be made for same. Punctuation marks, such as comma, period, colon, etc., when written out will be counted, and a charge made for same. The use of the punctuation marks as such will

DEPARTMENT OF AGRICULTURE

WASHINGTON

October 29, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 46.

There appears on the reverse side of this and subsequent sheets revision of paragraphs 1681, 1682, and 1683, entitled "Telegrams", "Procedure in Washington", and "Radiograms and Cables", respectively.

The revision of paragraph 1681 was for the purpose of insuring the use of Government-operated facilities whenever practicable and available or less expensive than the commercial systems; and for the further reason that on the respective dates of June 1, 1937 and June 23, 1937, the telegraph and commercial radio companies abolished what is commonly known as the "night message service", and changed the method of counting figures as chargeable words. Effective October 15, 1937, the punctuation marks when employed as such by the sender in messages within the United States will neither be counted nor will any charge be made for same. Furthermore, if desirable messages may be written in paragraphs by the sender.

The reasons for the revision of paragraph 1682 were to avoid the necessity for amending the regulation each time a bureau moves to a building in the "main Department building group", and due to the fact the "night message service" has been abolished.

The revision of paragraph 1683 was for the purpose of securing a substantial saving to the Department through its adoption.

M. L. Wilson

Acting Secretary.

remove any necessity for using the word "stop" or the spelling out of punctuation marks. If desirable messages may be written in paragraphs by the sender. The sender should choose the cheapest form of service - straight telegram, day letter, night letter, timed wire service (when available), and serial service - considering the probable time of delivery and the importance of the message. Consideration should be given to difference in time of the various time zones; messages from field stations to Washington should be sent at night letter rate if filed after 4:15 p.m. E.S.T., unless extremely urgent. Uneconomical transmittal should be noted in the administrative examination of accounts and brought to the attention of the responsible employee. The rates for Government messages are given in the Standardized Government Travel Regulations in the section "Telegraph, cable, and radio service." Weather Bureau messages are transmitted at special rates fixed in annual contracts. The billing telegraph office should be required to furnish with accounts the originals of outgoing messages, or copies of those received. (112, 637)

1682. Procedure in Washington.- All telegrams emanating from the Department in the District of Columbia (except for the Secretary's signature and those from the Bureau of Agricultural Economics, Weather Bureau, and organizations located in other than the main Department building group, which are handled by special procedure) shall be prepared in triplicate, an original on a departmental telegraph blank, and two carbon copies, and sent promptly to the Department telegraph office, where one carbon copy will be stamped with the date and time of receipt and returned to the bureau concerned. Outgoing telegrams should not be allowed to accumulate in bureaus but should be sent to the telegraph office as soon as signed.

Each chief of bureau will designate an employee under his jurisdiction whose duty it shall be to scrutinize carefully all telegrams originating in

his bureau and initial same before transmission to the Department telegraph office. The Department telegraph office will not accept telegrams not so initialed. The name of the employee designated for this purpose shall be reported to the Office of the Secretary.

In preparing telegrams for the signature of the Secretary, an original on a departmental telegraph blank and four carbons (one salmon-colored and three white copies) shall be made. The initials of the chief of bureau in which the telegram originates should appear on the original and the salmon-colored copy of the telegram. The title "Secretary" should never appear on a telegram. If it is really necessary to indicate the title, the term "Secretary of Agriculture" should be used. The name should not be typed in prior to signature. In no case should copies of telegrams prepared for the signature of the Secretary be mailed or referred to in correspondence until the stamped copy has been received from the Department telegraph office.

All outgoing telegrams before being forwarded to the Department telegraph office will be classified by the bureaus as follows:

Day: Messages to be handled in the class with preferred commercial business.

Timed wire service: Messages of more than average length to be handled in the class with preferred commercial business.

Serial service: Where more than one message is to be sent to the same addressee on the same day; messages to be handled in the class with preferred commercial business.

Day letters: Messages to be handled in the class with deferred commercial business.

Night letters: Messages to be handled in the class with night letter commercial business.

In the event a bureau fails or neglects to classify a telegram, the superintendent of telegraph and telephone is authorized to dispatch same by the most economical and effective method.

1683. Radiograms and Cables.- Administrative officers concerned should be familiar with Government-operated radio and cable facilities to foreign countries, territorial and insular possessions of the United States, and these facilities should be used unless in particular cases commercial cables are speedier and the messages require expedition. In filing cable or radio messages for transmittal in the Department telegraph offices, bureaus should indicate the transmitting agency desired. (637, 2027)

The registered cable address for the Bureau of Agricultural Economics is "Agrecon" and the address for all the other bureaus of the Department is "Pluribus." These addresses are registered with all telegraph, cable, and radio companies accepting international communications.

Official messages of the Department originating in any foreign country other than Mexico and Canada should carry the appropriate registered cable address. As the Department is charged for each word in the address, the use of the appropriate registered cable address will result in a saving.

1684. Personal Messages.- Charges for the transmission of unofficial material by telegram, radio, or cable can not be paid from Department appropriations. Applications for or inquiries about leave, inquiries about payment of salary or expense accounts, and responses to such inquiries are unofficial. (See paragraph covering "Personal messages" in the Standardized Government Travel Regulations.) (1673)

ACQUISITION OF REAL ESTATE

1711. Acquisition of Real Estate.- Before any real property may be acquired either by purchase or donation, legislative authority must have been provided and the necessary funds appropriated for such acquisition.

Whenever the purchase of real property (other than the classes hereinafter excepted) will involve an expenditure in excess of $5,000, no action shall be taken in connection therewith, or any public announcement made thereof, until approval of the Secretary shall have been secured. Each request submitted for the approval of the Secretary shall set forth in connection with the contemplated purchase of property (1) the estimated cost, (2) the character of, (3) the necessity for, (4) the source of funds to be used and the legal authority therefor, and (5) the relationship of the property to other facilities of the bureau in (a) the immediate vicinity, (b) the State or general locality, or (c) the region (with respect to those organizations operating on a regional basis) and shall include a brief description of the real property owned or controlled in the immediate vicinity by other bureaus of this Department. This procedure is not applicable to the acquisition of land for National Forests, wild-life refuges, the land utilization program, or similar projects, and does not contemplate a change in the present procedure with respect to bureaus which receive approval for purchase of land through the Office of Land Use Coordination, Department of Agriculture. (1829) (Regulation 1713)

1712. Leases.-

Free space.- Before seeking commercial space, a careful survey should be made in an endeavor to secure suitable space in Government-owned or controlled premises.

Competitive bids.- The requirements should be advertised and three (and more, if possible) owners or agents of eligible premises should be invited to submit proposals if the proposed lease requires an annual expenditure by the Government in excess of $50. Except in emergencies, competition should be secured for buildings or quarters to be occupied by the Department under lease no less than for any other supply service, and a higher bid should be accepted only when a disqualifying disadvantage can be shown in the acceptance of the lowest. In emergencies, leased premises may be occupied temporarily without competition, but only until such time as it is possible to conduct a formal solicitation and make an award thereunder. If the total amount to be expended in any fiscal year by the Government is $50 or less, a lease or informal agreement may be executed without regard to competition, but only for the lowest priced suitable space.

Formal leases.- Formal leases, prepared on the standard Government lease form, are required in all

DEPARTMENT OF AGRICULTURE

WASHINGTON

August 11, 1938

AMENDMENT TO THE REGULATIONS

Amendment No. 70.

There appears on the reverse side of this sheet a revision of regulation 1711 entitled "Acquisition of Real Estate." The purpose of this amendment is to provide a closer supervision within the Department of purchases of real property.

The provisions of this regulation are promulgated effective immediately.

The title of this regulation is included in the Table of Contents, and appropriate items appear in the Index, therefore no changes in these sections are necessary.

M. L. Wilson

Acting Secretary.

May 4, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 25.

There appear on the attached and subsequent sheets amendments to paragraphs 1711, entitled "Acquisition of Real Estate," and 1712, entitled "Leases."

The amendment to paragraph 1711 is designed to emphasize the fact that the acquisition of property by donation or purchase requires the approval of the Secretary. The acquisition of property by lease is controlled by paragraph 1712.

The first sub-paragraph of paragraph 1712, entitled "Free space," is amended to eliminate the requirement for a statement that free space is not available and the substitution therefor of a sub-paragraph entitled "Clearance by Procurement Division."

The sub-paragraph entitled "Competitive bids" is amended to provide that three or more persons be invited to bid and to emphasize that so-called emergency leases are permissible only until such time as it is possible to secure formal proposals and make acceptance thereof.

The sub-paragraph entitled "Formal leases" is amended to clarify the phraseology and state affirmatively that chiefs of bureaus may, in addition to executing leases and rental agreements at an annual rental rate of $500 or less, also accept the competitive bids received in connection therewith.

(Continued on reverse side of the following sheet.)

cases where the total consideration to be paid by the Government exceeds $100. Informal agreements; where the total consideration to be paid by the Government is $100 or less, and formal leases, where the per annum rental rate is $500 or less, may be executed by chiefs of bureaus or such supervisory officers as the chiefs of bureaus may designate for that purpose. Chiefs of bureaus or designated supervisory officers may accept the bids received in connection with such leases or rental agreements as they are authorized to prepare and execute, but one copy of each such lease or agreement shall be forwarded to the real estate officer of the Department. (See also Paragraph 3312.)

Fair market value statement.- If the annual rental rate exceeds $2,000, an authoritative fair market value statement is required, as the annual rate may not exceed fifteen per cent of the fair market value of the leased premises. (1806)

Term of lease.- A lease should cover only that period of time for which there is an available appropriation. A renewal provision may, of course, be included in the lease. (1732, 1751)

Exercise of renewal options in leases.- The existence of a renewal option in a lease does not relieve the proper Department officer of the responsibility for determining that the proposed expenditure represents the best possible terms.

Before a renewal option may be exercised, an informal canvass of agents or owners of eligible premises, including the present lessor, should be made in an effort to obtain suitable quarters at a lower rental. In considering cheaper quarters elsewhere, the estimated cost of moving may be evaluated and if no savings can be effected by moving, the lease may be renewed. The results of the canvass should be reported to the real estate officer of the Department when requesting renewal of the lease. A pre-renewal canvass is not required in renewing

Continuation of Amendment No. 25
(Paragraphs 1711 and 1712)

The sub-paragraph entitled "Fair market value statement" is amended to specify that the annual rental rate is the governing factor.

The sub-paragraph entitled "Term of lease" is amended to eliminate the phrase "and not extend beyond June 30 of any year."

A new sub-paragraph has been added entitled "Exercise of renewal options in leases" requiring an informal canvass of available properties before renewal.

Section "(a)" of the sub-paragraph entitled "Cancellation clause" has been amended to permit the inclusion of a cancellation clause in anticipation of more appropriate arrangements, in either Federal or public buildings.

A new sub-paragraph has been added to provide for clearance through the Procurement Division of all projects for the acquisition, transfer, or disposal of real estate.

The sub-paragraph entitled "Repairs to leased property" is amended to conform to the law and the decisions of the Comptroller General.

These amended paragraphs are promulgated, effective immediately. Inasmuch as these items are included in the Table of Contents and the Index, no additions need be made to those sections.

H A Wallace

Secretary.

leases of experimental tracts of land if the continuity of experiments precludes competition.

If the rental rate under the renewal exceeds $2,000 per annum, conclusive evidence of the present fair market value of the leased premises must be obtained.

Cancellation clause.- A clause which will permit the termination of a lease prior to its expiration or during any period of renewal may be inserted in a lease under the following conditions:

(a) Where there is a reasonable probability that the Federal activity involved will be able to make a more appropriate arrangement; or

(b) Where there is a reasonable probability that the Federal activity involved will be discontinued.

Clearance by Procurement Division.- Except when acquired, transferred or disposed of under specific legislative authority, all projects for the acquisition of real estate, whether by purchase, lease, or in any other manner, or for the disposal by sale or transfer, shall be submitted to the Procurement Division of the Treasury Department, through the real estate officer of the Department of Agriculture, for clearance. Requests for clearance of leases by the Procurement Division should be accompanied by certificates from the local postmaster, custodian of Federal building, or Federal Business Association, to the effect that suitable space for the activity is not available in any Government-owned or controlled premises. Leases and other instruments falling into the following classes are exempted from Procurement Division clearance: (a) Office space involving annual rental rates of less than $500 for temporary occupancy of less than six months; (b) Warehouse, storage, or other space not primarily for office use, involving annual rental rates of less than $500. Instruments exempted from

clearance, and any renewals or terminations thereof, shall be reported promptly to the Department real estate officer, who shall advise the Procurement Division of the action.

Repairs to leased property.-Repairs, alterations, and improvements may be made to property leased by the Department, provided repairs, alterations, and improvements at the Government's expense are provided for in the lease, and provided further that the cost to the Government of such repairs, alterations, and improvements shall not exceed twenty-five per cent of the rental for the first year, or for the rental term if less than one year. In case of nominal or free rentals, the Department may meet expenses of alterations, improvements, or repairs up to twenty-five per cent of fifteen per cent of the fair market value of the leased premises. (1806)

Alterations to Federal Buildings.- Funds of a bureau cannot be used to make alterations to a Federal building under the supervision of some other department, unless such desired alterations are not necessary to the ordinary use or operation of the building, and do not involve structural changes. Any bureau desiring such special alterations shall submit its request, together with a statement relative to the need for the alterations, to the real estate officer for transmittal to the appropriate department or independent establishment.

1713. Construction of Buildings.- No contract shall be entered into for the erection, repair, or furnishing of any public building, or for any public improvement which shall bind the Government to pay a larger sum of money than the amount in the Treasury appropriated for the specific purpose unless such construction is specifically authorized by law. (1732)

Whenever the estimated cost of the contemplated erection or repair of any Government-owned building, or any addition thereto, is in excess of $5,000, no action shall be taken in connection therewith, or any public announcement made thereof, until approval of the Secretary shall have been secured. Each request submitted for the approval of the Secretary shall be accompanied by a statement indicating with respect to each building (1) the estimated cost, (2) the character of, (3) the necessity for, (4) the source of funds to be used and the legal authority therefor, and (5) the relationship of the building to other facilities of the bureau in (a) the immediate vicinity, (b) the State or general locality, and (c) the region (with respect to organizations operating on a regional basis), and shall include a brief description of the stations or other facilities located in the immediate vicinity which are owned or controlled by other bureaus of this Department. If the construction or repair of buildings is managed on an annual or other program basis, the advance submission of the program for the period involved is desired rather than separate submissions for the several structures involved. In such cases the information stipulated in the foregoing should be included insofar as possible.

A formal contract shall be required for the erection or repair of any building, or addition thereto, whenever the amount involved is in excess of $2,000, and the work is to be performed by a contractor. It shall be discretionary with each bureau whether this regulation shall apply with respect to amounts of $2,000 or less, where a less formal agreement only is required. (See also Regulation 3312.)

Permanent structures shall not be located on other than Government-owned land. (1054, 1065)

DEPARTMENT OF AGRICULTURE

WASHINGTON

March 23, 1939

AMENDMENT TO THE REGULATIONS

Amendment No. 90.

An addition to regulation 1712, entitled "Leases," appears on the reverse side of this sheet.

The reasons for this addition are (1) to place in the Regulations a "statement of existing policy which has long been in force but which is not now included in the regulations," and (2) to establish the circumstances under which funds of a bureau may be used to make alterations in a Federal building under the supervision of some other department. (See 16 C. G. 816.)

The provisions of the addition to the regulation are promulgated effective immediately.

Inasmuch as the title of the regulation is included in the Table of Contents, no change in this section is necessary. The following items should be added to the Index:

"Alterations to Federal buildings - - - - - - - - - - 1712
Buildings, Federal, alterations to - - - - - - - - - 1712"

Harry L. Brown
Acting Secretary.

February 18, 1938

AMENDMENT TO THE REGULATIONS

Amendment No. 56.

There appears on the reverse side of this sheet a revision of paragraph 1713 entitled "Construction of Buildings." The purpose of this amendment is to provide for a closer supervision within the Department of building operations.

The provisions of the paragraph, as revised, are promulgated effective immediately.

Inasmuch as the title of the paragraph is included in the Table of Contents, and appropriate items appear in the Index, no changes in these sections are necessary.

H A Wallace

Secretary.

MANAGEMENT OF BUILDINGS

1721. Buildings and Rooms.- The chief of the division of operation is responsible for the management of all buildings occupied by the Department in the District of Columbia. He is also the real estate officer for the Department and as such should be consulted in advance with regard to all needs for additional buildings, repairs, and improvements to buildings, and is given full authority to require the remedying of insanitary or unsafe conditions which he may find upon inspection to require remedying.

All lands (excepting lands acquired for forest reserves), buildings, telegraph lines, telephone lines, cables, fences, and other improvements of a permanent character, located outside of the District of Columbia, constructed or purchased by the Department shall be made a matter of record in the bureau concerned.

The buildings and rooms occupied by the Department must be kept in a sanitary and hygienic condition, free from dirt, dust, and refuse. Provisions and remnants of lunches must not be left in desks overnight. Spitting on floors is prohibited in all buildings of the Department.

Any insanitary conditions, accumulations of trash, or conditions involving unnecessary fire risks reported to or observed by the chief of the division of operation will, by him, be brought to the attention of the proper employee of the bureau concerned, who shall take immediate steps to remedy them. (134)

1722. Care of Buildings.- Chiefs of bureaus shall designate some person or persons under their jurisdiction who shall see that awnings are pulled up, windows closed, electric lights and fans turned off, drip pans under refrigerators emptied,

and all unnecessary gas burners turned off upon the departure of employees from laboratories and and offices at the close of office hours. Employees who are required to perform duties outside of regular office hours (9 a.m. to 4:30 p.m.) shall carry out this regulation upon departure from their offices.

All employees are charged with the duty of seeing that all electric lights and fans are turned off during office hours when their use is not necessary. The placing of paper shades on electric lights is prohibited.

1723. Passes to Buildings.- Passes to buildings shall be issued by the chief of the division of operation upon application of chiefs of bureaus. They shall be used only to enable employees who have official work to perform outside of office hours to enter buildings and shall not be used for the purpose of carrying on private work. Blank passes will be furnished to the chief of each bureau for use in emergencies, which shall be issued only for short periods. These passes will be taken up by the watchman on duty and sent to the captain of the watch, who will return them to the chiefs of the bureaus in which the employees are employed. Permanent passes will be issued to executives and other employees who, in the performance of their duties, should have them in their possession at all times. No person shall be allowed to remain in any building after 11:30 p.m. except in the case of extreme emergency. (1253)

1724. Locked Rooms.- Offices and storerooms should be left unlocked so that watchmen can have access thereto at night. If necessary to lock a room, special provision for inspection by the watchmen from the outside should be made by putting a pane of glass or a grating into the door, and a duplicate key must be hung in a metal case with a glass front outside of the locked door.

1725. Storage. In order that the fire hazard may be reduced to a minimum, the following rules governing the storage of materials in the attics and basements of buildings where such storage is permitted will be observed:

1. Materials must be stored in an orderly manner.

2. Material must be so arranged as to leave a free passage to the back of each bay for inspection.

3. Material must be so arranged that no part of it will come within eight inches of the ceiling in the attic areas or within two feet of the ceiling in the sub-basement areas.

4. Material must not extend beyond the line of columns into the center passageway except in special cases where permission is obtained from the Chief, Office of Plant and Operations.

5. Letters, papers, or other inflammable material of this nature should if practicable be stored in closed steel filing cases or cabinets. Steel shelving must be used for the storage of bulletins, pamphlets, or other similar material of a combustible character.

6. Old, damaged, or unused wooden furniture shall be disposed of in accordance with the regular procedure and not stored in the attic or sub-basement. (See also Regulation 4421.)

7. No partitions or enclosures shall be installed in buildings of the Department in the District of Columbia without the approval of the Chief, Office of Plant and Operations.

8. Approved enclosures in the District of Columbia shall be protected only by locks approved by the Chief, Office of Plant and Operations, and keys shall be furnished to the Captain of the Guard so that access may be had to the enclosure by the Guard Force at any time.

1726. Operation of Elevators. No person shall be permitted to operate an elevator in any building under the jurisdiction of the Department in the District of Columbia without a permit signed by the Public Buildings Administration, Federal Works Agency.

1728. Display of Flag on Buildings. The United States flag shall be displayed on all Government buildings of the Department of Agriculture and on all other buildings occupied solely by one or more of the activities of the Department of Agriculture or by the Department of Agriculture and one or more of the departments or independent establishments of the Federal Government, on all working days and on such other days as specifically provided by law or proclamation. At field stations the flag may either be displayed on a building or on the grounds of the field station.

DEPARTMENT OF AGRICULTURE
WASHINGTON

March 28, 1941

AMENDMENT TO THE REGULATIONS

Amendment No. 120

Regulation 1727, entitled "Directory of Field Activities," has been revoked and is hereby deleted from the Regulations.

This Regulation is considered unnecessary since this information is contained in the Annual Directory of Organization and Field Activities of the Department.

This Amendment supersedes Amendment No. 74, insofar as Regulation 1727 is concerned.

The following deletions should be made in the Table of Contents and in the Index:

Table of Contents

1727. Directory of Field Activities

Index

Employees, directory of - - - - - - - - - - - - - - - - - - - 1727
Directory of field activities - - - - - - - - - - - - - - - - 1727
Field Activities, directory of - - - - - - - - - - - - - - - 1727

Paul H. Appleby
Acting Secretary.

September 28, 1938

AMENDMENT TO THE REGULATIONS

Amendment No. 74

There appears on the reverse side of this sheet, slight changes in regulations 1726 and 1727, entitled "Operation of Elevators" and "Directories of Buildings", respectively. These changes are made in the interest of clarity. There also appears an addition to the Regulations of the Department which has been designated as regulation 1728 and entitled "Display of Flag on Buildings". Such an addition appears desirable from a departmental standpoint.

Both these revisions and this addition to the Regulations of the Department are promulgated effective immediately.

The following changes and additions should be made in the Table of Contents and in the Index:

Table of Contents:
Change "1727. Directories of Buildings"
To "1727. Directory of Field Activities"

Add: "1728. Display of Flag on Buildings"

Index:
Delete "Buildings, directories of - - - - - - - - - - - 1727"
"Directories, buildings - - - - - - - - - - - - 1727"

Change "Employees, directories of - - - - - - - - - - - 1727"
To "Employees, directory of - - - - - - - - - - - - 1727"

Add: "Directory of field activities - - - - - - - - - 1727"
"Field Activities, directory of - - - - - - - - 1727"

H A Wallace
Secretary.

1731. Furniture and Equipment.- Furniture for the office space allotted to bureaus in Federal buildings located outside the District of Columbia, is to be furnished by the department having custody of such building when required subsequent to the occupancy thereof, but special equipment, such as, laboratory furniture or equipment, typewriters, adding machines, etc., must be furnished by the bureau concerned. (1846, 1847)

Whenever a field activity of a bureau is assigned space in a Federal building, all furniture being used by such activity must be moved into the Federal building which is to be occupied. An inventory of the furniture moved into the Federal building shall be prepared and furnished to the custodian of such building. A receipted copy of the inventory shall be retained by the particular activity. The department having control of the particular Federal building will assume custody of the furniture and will be responsible for its maintenance and repair. Actual title to the property will be retained in the Department and the articles included in the inventory submitted to the property officers of the bureau concerned in accordance with the Regulations of the Department. When the occupancy of a Federal building is to be terminated, a list of the furniture of the activity concerned should be submitted to the real estate officer in order that he may obtain a release of such furniture from the department having custody of the particular Federal building. Any furniture which may become surplus to an activity while occupying a Federal building may be removed if the removal of such furniture will not require the department having custody of the building to purchase furniture to replace that removed. The request for the real estate officer to obtain the release of the furniture should show whether any portion of the furniture to be removed is surplus and whether its removal will require the department having custody of the Federal building to purchase furniture to replace it.

Expenses incident to moving furniture into a Federal building will be paid by the department having custody of the Federal building unless such furniture is considered to be special equipment and unless the building is operated on a reimbursable basis. Expenses incident to moving furniture from a Federal building must be paid by the bureau concerned unless it is to be moved into temporary quarters obtained by the Procurement Division, Treasury Department, for use during construction of a new building.

1732. Installation of Laboratories and Construction Work.- The installation of all laboratories, construction of partitions, etc., in the buildings owned or rented by the Department in the District of Columbia will be made under the supervision of the chief of the Office of Plant and Operations* as custodian of buildings. He shall also be consulted in advance should necessity arise for any changes in said buildings, and no work involving such changes shall be started until plans or memoranda describing the proposed change in detail have been submitted to and approved by him.

1733. Inflammable Materials and Supplies.- Materials and supplies of an inflammable character, except in small laboratory lots must not be stored in buildings occupied by the Department other than those specially constructed for the purpose.

* Formerly division of operation.

DEPARTMENT OF AGRICULTURE

WASHINGTON

March 22, 1939

AMENDMENT TO THE REGULATIONS

Amendment No. 89.

A substitute for regulation 1731, entitled "Furniture and Equipment," appears on the reverse side of this sheet.

The substitution is necessitated by the fact that the original regulation "was prepared at the time when all Federal buildings outside of the District of Columbia were under the control of the Treasury Department."

The provisions of the substitute regulation is promulgated effective immediately.

Inasmuch as the title of the regulation is included in the Table of Contents no change in this section is necessary. The following change should be made in the Index:

Delete "Treasury Department to have custody of furniture."

Harry L. Brown
Acting Secretary.

1734. Waste-paper Baskets.- Employees must not place in waste-paper baskets fragments of luncheons or any other substance except waste paper. Chief clerks of the various bureaus will provide metal receptacles for fragments of luncheons, and also separate receptacles for broken glass, empty tin cans, and other waste material of similar character.

1735. Drinking Cups.- The use of public drinking cups is prohibited. They will be confiscated wherever found. Individual sanitary cups should be used.

1736. Towels.- The use of roller towels and other towels intended for use by more than one person is prohibited in all buildings occupied by the Department.

1737. Installation and Periodic Inspection of Boilers.- Plans and specifications for all new installations of boilers and pressure vessels (other than conventional laboratory equipment) proposed for vessels or land plants shall be submitted to the Bureau of Agricultural Chemistry and Engineering for approval prior to the solicitation of bids. Such plans and specifications for every boiler of more than 15 lbs. pressure per square inch shall contain the provision that the boiler shall comply as to materials, workmanship and design with the A.S.M.E. code covering such equipment.

The chief administrative officer at every station at which boilers and/or pressure vessels are located shall see that one internal inspection and at least one external inspection of each boiler and pressure vessel (other than conventional laboratory equipment) is made annually by any competent inspector. Upon request, boilers and pressure vessels will be inspected by the Bureau of Marine Inspection and Navigation, Department of Commerce, without charge other than the travel expenses of the inspectors, and reports of their condition made to the Secretary of Agriculture. All reports of inspection, after consideration in the bureau concerned, will be promptly forwarded to the division of personnel relations, safety and health of the Office of Personnel, and where any such report indicates the existence of hazardous conditions, an accompanying letter of transmittal must show what remedial measures have been instituted.

DEPARTMENT OF AGRICULTURE
WASHINGTON

February 19, 1937.

AMENDMENT TO THE REGULATIONS

Amendment No. 17.

There appears on the reverse side of this sheet a paragraph, No. 1737, entitled "Inspection of Boilers," which should be added to the Regulations. This paragraph is promulgated effective immediately.

The following additions to the Table of Contents and the Index should be made:

Table of Contents:
"1737. Inspection of Boilers."

Index:
"Boilers, inspection of - - - - - - - - - - - - - - - 1737
Commerce, Department of, to inspect boilers- - - - 1737
Inspection of boilers - - - - - - - - - - - - - - - - 1737
Pressure vessels, inspection of - - - - - - - - - - 1737"

H A Wallace
Secretary.

March 7, 1939.

AMENDMENT TO THE REGULATIONS

Amendment No. 88.

A revision of regulation 1737, entitled "Inspection of Boilers," appears on the reverse side of this sheet. The reasons for this revision may be briefly stated as follows:

1. It appears administratively desirable to discontinue the practice of submitting any plans and specifications for boilers and pressure vessels to the Bureau of Marine Inspection and Navigation, Department of Commerce, for approval.

2. The implication that all plans and specifications must be submitted to the chief, division of purchase, sales, and traffic for approval, is eliminated as the Regulations of the Department contain no such requirement.

3. The inspection is to be made by either a representative of the Bureau of Marine Inspection and Navigation or by a "competent" inspector.

4. The procedure to be followed in disposing of the reports of the inspectors is more fully stated.

This regulation is promulgated effective immediately.

As the title and contents of regulation 1737 are being changed, the following changes should be made in the Table of Contents and in the Index:

Table of Contents:
Change "1737. Inspection of Boilers"
To "1737. Installation and Periodic Inspection of Boilers"

Index:
Add: "Reports of Inspectors of boilers and pressure vessels"

Harry L. Brown
Acting Secretary.

DISPOSAL OF REAL ESTATE

1741. Disposition of Real Estate.- When real estate is controlled by the Department by permit or lease, it may be disposed of by the terms of such permit or lease or by an agreement where a consideration moves to the Government.

Where real estate occupied by the Department is owned by the Government and is no longer needed by the agency occupying same, it must be reported through the chief of the division of operation to the Division of Procurement, Treasury Department, in accordance with the act of August 27, 1935, Public No. 351, 74th Congress. Occupancy of real estate owned but not occupied by the Government may be by permit or lease. (1850)

DOMESTIC TRANSPORTATION

1811. Authorization to Travel.- Paragraphs 3421 and 3422 describe formal authorization required for foreign or domestic travel.

Paragraphs 1511, 1512, 1522, and 1523 define more specifically the conditions under which authorization may be secured to attend meetings, judicial proceedings, expositions, or fairs, or to give addresses or make speeches.

1812. Bus and Street-car Tickets, Tokens, and Passes.- Tickets, tokens, and passes furnished by the Department to its employees for necessary use on buses and street-cars in the transaction of official business are Government property. They have a cash value, which does not pass from the Government to the employee to whom issued, and they may be sued only on necessary official business.

A proper and absolutely accurate record must be kept of the receipt and issue of such tickets, tokens, and passes.

Each employee to whom tickets, tokens, or passes are issued will be charged therewith at the time of issuance, and will be informed that they are to be used only for the purpose for which issued and in exchange for the service due the United States, and that any not so used are to be returned to the official or employee who issues them.

Under no circumstances are unused tickets or tokens, or unexpired passes to be converted to the private use of the employee, or disposed of by him in any manner whatsoever other than for the purpose for which issued, and any employee found guilty of the misappropriation or wrongful use of such tickets, tokens, or passes will be subject to severe disciplinary action. (160)

1813. Employees Visiting Indian Reservations on Official Business.- Whenever a representative of the Department of Agriculture, in carrying out any cooperative agreement with the Department of Interior, shall find it necessary to visit any Indian reservation, the superintendent of such reservation shall be promptly notified thereof, and whenever such visitation is for any other purpose the consent of the superintendent shall first be obtained. Representatives of this Department about to visit any Indian reservation on official business should provide themselves with proper credentials, preferably Department identification cards.

1821. Notification of Contemplated Visit.- When officials of this Department contemplate traveling to any foreign country on official business and after approval has been secured from the Secretary in accordance with the fiscal regulations, a letter should be prepared in the bureau addressed to the Secretary of State for the signature of the Secretary, giving the names, titles, and purpose of the visit of the officials concerned as well as their itineraries and requesting that arrangements be made through appropriate channels for the extension of appropriate courtesies and facilities. (See Paragraph 3422.)

Officials proceeding abroad should not conduct business with officials of any foreign government without first consulting the Diplomatic Officer of the United States in the country concerned.

1822. Passports for Official Travel.- Applicants for passports for use on official travel should present to the Division of Passport Control, State Department, a letter from the Secretary of Agriculture addressed to the Secretary of State requesting the issuance of same. Application forms may be obtained and when executed will be acted upon in the Division of Passport Control, Department of State, Washington; at passport agencies in Chicago, New Orleans, New York, San Francisco, and Seattle; by clerks of all Federal courts; and by clerks of all State courts authorized to naturalize aliens (usually located at the county seat). For the passport itself when issued to official travelers or to their immediate relatives accompanying them on official trips, no fee is collectible; but a fee of $1 (clerks of some State courts may under their regulations collect more) must be paid for execution of the passport application.

At ports of embarkation and in many large inland cities there will be found consular offices of foreign countries at which, before sailing, officers should have their passports visaed for all countries to be visited. Under reciprocal arrangements between the United States and foreign governments this service should be rendered without charge; if fee is demanded attention should be

DEPARTMENT OF AGRICULTURE

WASHINGTON

August 4, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 37.

There appears on the reverse side of this sheet a substitute for the present paragraph 1821, entitled "Notification of Contemplated Visit." The revised regulation requires that Department officers traveling abroad shall consult the Diplomatic Officers of the United States before transacting business with officials of foreign governments.

The Department of State is desirous that Diplomatic and Consular Officers stationed in foreign countries be of the maximum helpfulness to representatives of this Department when traveling in foreign countries, and that all of the agents of this Government in foreign countries function with that high degree of coordination essential to achieve the desired results as well as to maintain correct relations with foreign countries.

The provisions of the substituted paragraph are promulgated effective immediately. Inasmuch as the title of the paragraph is included in the Table of Contents no change in same is necessary. The following items should be added to the Index:

"Diplomatic Officers, United States, consulting with - - - - - - - - - - - - - - - 1821
Foreign governments, conducting business with - 1821
Officers, diplomatic, United States, consulting with - - - - - - - - - - - - - - - - 1821"

W. R. Wilson

Acting Secretary.

1822 (cont.) drawn to the official character of the travel. The amount paid for execution of application for passport issued to official travelers (not for those issued to immediate relatives accompanying them) together with visa fees in case visas are not given gratis, the cost of photographs to be attached to passports, and the cost of necessary affidavits regarding citizenship may be claimed in the travel expense account. (1422)

1823. Health Certificates, Etc. Officials traveling abroad for the Department should also comply with all requirements of the countries which they expect to visit. Some countries require health certificates, police records, and similar documents, all of which should be secured in advance of departure. Foreign consular officers stationed in the principal cities will be able to furnish detailed information concerning the requirements which must be followed by travelers to their countries.

1824. Use of American Flag Ships Required.*(Canceled January 20, 1944. The legal provision on which Regulation 1824 was based (46 U.S.C. 1241) has been suspended for the fiscal year 1944 by the First Supplemental National Defense Appropriation Act, 1944 (Public Law 216, 78th Congress, approved December 23, 1943).)*

drawn to the official character of the travel. The amount paid for execution of application for passport issued to official travelers (not for those issued to immediate relatives accompanying them) together with visa fees in case visas are not given gratis, the cost of photographs to be attached to passports, and the cost of necessary affidavits regarding citizenship, may be claimed in the travel expense account. (1422)

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1824. Use of American Flag Ships Required.- Any officer or employee of the United States traveling on official business overseas to foreign countries, or to any of the possessions of the United States shall travel and transport his personal effects on ships registered under the laws of the United States when such ships are available, unless the necessity of his mission requires the use of a ship under a foreign flag. The Comptroller General will not credit any allowance for travel or shipping expenses incurred on a foreign ship in the absence of satisfactory proof of the necessity therefor.

The use of the foreign vessel must have been necessary to the accomplishment of the traveler's mission, which necessity must have been one of which the Department was aware in

advance and which formed the sole basis of the action in authorizing the use of the foreign vessel. This restriction is also applicable to the families and effects of officers and employees when transported at the expense of the Department. (2019)

MOTOR VEHICLES

1831. Use of Motor Vehicles.

No officer or employee of the Department shall use a Government-owned motor vehicle in the District of Columbia unless its use in the District of Columbia shall have been specifically authorized by law. Officers and employees shall not use Government-owned motor vehicles outside of the District of Columbia except those vehicles the maintenance of which has been duly authorized by law. Such vehicles shall be used for official business only. * Any officer or employee of the Department who uses or authorizes the use of any motor-propelled passenger-carrying vehicle owned or leased by the Government for other than official purposes shall be summarily removed from office. Official purposes include use in emergencies threatening loss of life or property but do not include the transportation of officers and employees between their domiciles and places of employment, except in cases of officers and employees engaged in field work, the character of whose duties makes such transportation necessary and then only when the same is approved by the Secretary. * Employees shall not keep Government-owned vehicles in their privately-owned garages unless such storage shall have been specifically approved by the Secretary. (75, Independent Offices Appropriation Act) (See also Regulation 4225.)

1832. Operation of Motor Vehicles.

1. An employee of the Department may operate a departmental motor vehicle only when there has been issued to him by the Department of Agriculture a motor vehicle operator's permit. Only an employee who has qualified by an examination given by a responsible supervisory administrative officer designated by the chief of bureau or who possesses a State motor vehicle operator's permit granted after an examination shall be granted a permit to operate a departmental motor vehicle. All District of Columbia drivers of this Department's motor vehicles shall have a District of Columbia operator's permit. Drivers of all departmental vehicles shall strictly observe all State and local laws and regulations both in letter and spirit.

2. Departmental drivers are to use extreme care before crossing railroad tracks, or entering through streets, boulevards, or arterial highways whether marked by stop signs or not. They shall

(continued on next page)

MOTOR VEHICLES

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Departmental drivers are to use extreme care before crossing railroad tracks, or entering through street, boulevards, or arterial highways whether marked by stop signs or not. They shall

refrain from "cutting curves" or entering same at unreasonable speeds. Blind curves are always to be approached with utmost caution. The entire responsibility to ascertain that the way behind is and remains absolutely unobstructed rests upon the driver attempting a backing operation. The rights of pedestrians are always to be respected, and the utmost care is to be taken to avoid accidents involving pedestrians.

Employees operating departmental motor vehicles on official business shall exercise the same care in handling and economy in operation which they would exercise were the vehicles their personal property. It is essential that proper storage be provided to insure continued operation during the natural life or period of usefulness of the vehicle. All departmental vehicles are to be inspected regularly and under no circumstances are defective vehicles to be used before repair where there is known to exist or where said inspection reveals such serious defects as faulty brakes, lights, steering mechanism, etc.

When traveling upon rural highways drivers of Government-owned vehicles should anticipate the presence of stray domestic animals and drive with care accordingly. When the presence of one or more animals is detected, the driver, until safely past such animal or animals, shall decrease his speed so as to be able to stop quickly in case of an emergency and in passing shall strive so as to avoid any contact with such animals; in short, animals on the highway are to be given the right of way.

1833. Liability of Employees Operating Government-Owned Motor Vehicles.- In case of accident or collision Government drivers and other Government employees are, insofar as possible, to observe the following regulations:

(a) Render, immediately, all possible aid to any injured persons.

(b) Remove without delay all obstructions from the highway caused by the accident which may endanger other travelers.

(c) Fill in Drivers Report (Standard Form No. 26) "on the spot" so far as possible; make note of all the evidence relating to the accident, such as measurements as to the position of the cars on the highway, skid marks, wheel tracks, etc.; and obtain the names and addresses of all witnesses. Copies of this report form shall be carried by all departmental drivers.

(d) Report the accident and deliver this Driver's Report promptly to an immediate superior.

(e) A complete investigation of the accident shall be made as soon thereafter as is practicable by an investigating officer, who shall be appointed for the purpose by the highest ranking administrative officer in the vicinity of the accident. Said investigating officer shall properly fill in "Standard Form No. 27" and shall supplement same with a detailed and unbiased written report of all facts and circumstances in connection with the accident or collision.

(f) Under no circumstances are departmental employees to:

(1) Encourage a private party involved in an accident to present a claim against the Government or assist in the prosecution of a claim once filed. The aggrieved party may be informed as to his rights in this respect, but should not be encouraged to file a claim.

(2) Promise or indicate that any form of settlement will be made.

(3) Endeavor or promise to compromise a claim for damages arising out of an accident or collision.

(4) Threaten officially or personally abuse the private party or parties involved.

(5) Fail to submit without protest to any reasonable investigation conducted by the private party or officers of the law relating to the accident or collision.

(6) Address letters to members of Congress or other public officials relating to such claims without prior administrative approval.

(g) Where the aggrieved or injured party manifests his desire to file a claim covering his damages, he should be required:

(1) To fill in and submit, through the Department office concerned, a formal claim for damages, supported by statements of all his available witnesses.

(2) To submit a receipted and itemized bill covering the cost of repairs for the damage incurred or, in lieu thereof, at least two itemized estimates or appraisals of the damage.

(3) Where the damage relates to personal property, to submit a statement setting forth the value of the property before it was damaged and its present market value.

(h) The respective departmental officers concerned, upon receipt of such claims and supporting material, are to add thereto the report of the investigating officer, statements of witnesses, and copies of all correspondence relating to the claim, and any other pertinent material, and refer the entire file, with whatsoever recommendation the said officer deems advisable, to the director of finance for transmittal to the office of the solicitor of the Department.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

Motor Vehicles

1834. Marking of Vehicles

1. *All motor vehicles and trailers owned by the Department, or leased by it for a period exceeding six months, and operated on the public highways in the United States by the Department, except as hereinafter provided, shall bear at all times the official United States Government identification shield and immediately thereunder a Department and bureau identification in white letters as follows:

DEPARTMENT OF AGRICULTURE	1" letters
BUREAU OF (if required)	½" letters
(Name, or rest of name, of bureau or office)	3/4" letters

The shield and Department and bureau identification shall be displayed as follows:

Passenger Cars, Trucks, Busses, and Ambulances. Centered on both front door panels, or in as nearly equivalent position as is possible where there is no door.

Trailers. Centered on both sides.

Motorcycles. To be used only on those having sidecars. On these, the shield shall be centered on the outside panel of the sidecar.*

2. *If the use of the Department and bureau identification prescribed above is impracticable in particular cases, official agency name plates bearing the words "Department of Agriculture" followed by the name of the bureau or office, and designed as prescribed by the Bureau of the Budget, may be attached to the official Government tags in lieu of the use of the above-prescribed Department and bureau identification; provided, that such agency name plates may not be used on passenger-carrying vehicles in lieu of the above-prescribed Department and bureau identification. Details of the prescribed design for agency name plates should be obtained from the Office of Plant and Operations.*

3. *The shields and Department and bureau identification shall be removed when a vehicle is sold or otherwise retired from service in the Department, except that the shields shall not be removed when a vehicle is transferred to another Government agency.*

4. *The shields and Department and bureau identification shall not be used on a privately owned vehicle unless it is leased by the Department for a period exceeding six months.*

5. *Exemptions. Vehicles assigned for the use of the Secretary are exempted from bearing the markings prescribed by this Regulation. Vehicles already bearing shields larger than the official Government shield need not be re-marked with the markings prescribed by this Regulation unless such action becomes necessary because of illegibility or defacement of the shields already in use. Other exemptions will be made only upon the authorization of the Secretary and, where required, the approval of the Director of the Bureau of the Budget. (75)*

Motor Vehicles

1835. *Certificates of Title to Motor Vehicles

1. When a Department motor vehicle for which a certificate of title has not been obtained is sold or exchanged, and the purchaser requests a certificate of title or other evidence for use by him in obtaining a certificate of title, the appropriate official of the bureau concerned shall furnish the purchaser a certificate addressed "To whom it may concern" stating that the vehicle (showing make, model, and engine number) was purchased on a certain date from a specific manufacturer or dealer, that no certificate of title was ever obtained for it as it was the property of the Federal Government, that there are no liens outstanding against it, and that it has been sold or transferred to the purchaser (showing his name) for valuable consideration.*

2. *When a bureau desires a certificate of title for a Department motor vehicle, wherever located, such certificate shall be obtained through the Office of Plant and Operations from the District of Columbia Government, and shall be executed in the name of the United States Government, Department of Agriculture. (115)*

3. *When a Department motor vehicle for which a certificate of title has been obtained is sold, exchanged. or transferred out of the Department, the certificate shall be assigned to the purchaser or transferee by the Chief of the Office of Plant and Operations, or by someone designated for the purpose by the Chief of that Office, or by an appropriate official of the bureau concerned.*

1836. *Identification Tags for Department Vehicles

1. Display

a. All motor vehicles and trailers owned, or leased for a period exceeding six months, and operated on public highways in the United States by the Department, except as provided in paragraph "d" below, shall bear at all times the official United States Government identification tag. The tags for vehicles other than trailers and motorcycles shall be attached to the front and rear of the vehicles, except that if only a single tag is available, it shall be attached to the rear. The tags for trailers and motorcycles shall be attached to the rear only.*

b. *The official tags shall not be used on a privately owned vehicle unless it is leased by the Department for a period exceeding six months.*

c. *Other identification tags or plates in addition to those prescribed herein shall not be used, except as provided in Regulation 1834.*

d. *The use of state tags instead of the official Government tags may, when required by the public interest, be authorized by the Secretary with the approval of the Director of the Bureau of the Budget.*

2. Procurement

a. *For Vehicles Outside District of Columbia. Tags for vehicles located and operated outside the District of Columbia shall be requisitioned through bureau channels from the Central Supply Division.*

1836 (cont.)

b. *For Vehicles in District of Columbia. Tags for vehicles located and operated in the District of Columbia shall be procured through the Office of Plant and Operations from the District of Columbia Government.*

3. Records

a. *Tags for Vehicles Outside District of Columbia. The Office of Plant and Operations shall maintain a record of the serial numbers of all tags issued to each bureau for vehicles located and operated outside the District of Columbia. A record shall be maintained currently by each bureau of the use and disposition of all such tags issued to it, including a record of the vehicle to which each tag is attached. Responsibility for keeping this record may be delegated or redelegated to responsible field officials, in accordance with the policy of the bureau, provided the official making such delegation or redelegation keeps a record of the blocks of tags involved. It must be possible at all times, in the event of accident, theft, etc., to identify promptly from the records kept at the Department, bureau, and field levels the vehicle to which a given tag is attached at any given time.*

b. *Tags for Vehicles in District of Columbia. The Office of Plant and Operations shall maintain currently a record of the use and disposition of all tags obtained for vehicles located and operated in the District of Columbia, including a record of the vehicle to which each tag is assigned.*

4. Removal and Transfer

When a vehicle is sold, transferred to another bureau or department, or otherwise removed from service, the tags shall be removed. When a vehicle is transferred from one organizational or administrative unit to another within a bureau, the tags may be either transferred with the vehicle or removed therefrom, in accordance with the policy of the bureau; when tags are so transferred, a report thereof shall be made promptly through bureau channels to each official whose record of tags is made incorrect or incomplete by the transfer (see paragraph 3). Except as provided above, the tags shall be used on the vehicle to which they are originally attached until their replacement becomes necessary because of mutilation or defacement.

5. Disposition of Tags Removed

a. *From Vehicles Outside District of Columbia. Tags removed from vehicles located and operated outside the District of Columbia shall, if still serviceable, be transferred to other vehicles or returned to the official maintaining the record of the specific assignment of the tags. If the tags are unserviceable, they shall be thoroughly defaced to prevent their being re-used for unauthorized purposes. Such transfers or defacement shall be reported by tag numbers to the official maintaining the record of specific assignment of the tags.*

b. *From Vehicles in District of Columbia. Tags removed from vehicles located and operated in the District of Columbia shall be returned promptly to the Office of Plant and Operations, except that such tags may be transferred to other vehicles operating in the District when authority for such transfers is obtained from the District Government through the Office of Plant and Operations.*

1836 (cont. 2)

6. Reports of Loss or Theft of Tags

Any loss or theft of tags or subsequent recovery thereof shall be reported immediately to the local or state police and to the official maintaining the record of specific assignment of the tags.

1837. Maintenance and Operation Cost Records for Motor-Propelled Vehicles. Each bureau shall maintain an individual record of the cost of operations, maintenance, upkeep, and repair of every motor-propelled vehicle owned and operated by it. It shall be the responsibility of the Director of Finance to prescribe methods of recording and reporting these costs so that data will be available for budgetary purposes and for efficient management of the equipment. (76, 77) (56 Stat. 226)

1838. Operation and Servicing of Motor Vehicles in the District of Columbia. The Office of Plant and Operations will furnish all motor truck transportation services required by the bureaus in the District of Columbia, unless the Chief, Office of Plant and Operations, in consideration of certain facts and circumstances, has specifically authorized or approved some other arrangement. Motor trucks owned or controlled by the several bureaus shall not be headquartered in the District of Columbia without such authorization.

Repairs to and servicing (including washing and greasing) of motor vehicles owned by the Department and operated by the bureaus in the District of Columbia shall be obtained through the Office of Plant and Operations. This service is also available and must be utilized whenever motor vehicles not coming within the above classification are in the District of Columbia and in need of such services. Requisitions for repairing and servicing of motor vehicles shall be made on the forms prescribed for that purpose and reimbursement for work performed by the Office of Plant and Operations will be made by the bureaus in the usual manner.

1834. Marking of Vehicles.- All motor-propelled vehicles of the Department of Agriculture except motor cycles and railroad speeders, shall at all times be marked, on both sides, in suitable colors and in plain solid block letters.

Passenger cars shall be marked by a union shield with the lettering

in the center of it. Additional lettering to indicate a particular bureau, may, if desired, be added. The shield which is to be placed on the door whenever practicable, shall not be less than five inches high and five inches wide.

Trucks shall be marked on both sides, in suitable colors, as follows: By a union shield, with the same lettering as applied to passenger cars, except that the shield shall be not less than ten by ten inches in size.

Tractors and motor cycles, railroad speeders, and other vehicles not included in the preceding paragraphs should also be appropriately marked whenever practicable to indicate their public character, the legend in each case to be determined by the bureau concerned.

Vehicles now in use and already marked will not be subject to the foregoing regulation unless or until remarking becomes necessary, but all other vehicles now in service, except those intended to be turned in within six months in connection with the purchase of new equipment, will be marked within three months from date. All new vehicles will be marked as procured; bureaus may have this

marking included in the delivery contracts, or, if preferred, may arrange to issue decalcomania transfers for the use of their employees in effecting it.

All such marking shall be removed before vehicles are sold, traded in, or turned over to other organizations outside of the Department. (75)

1835. Title to Motor Vehicles.- Ordinarily a certificate of title to a motor vehicle need not be obtained at the time of its purchase by the Government. However, if for any reason it be deemed desirable to secure such a certificate, it should be executed in the name of the United States Department of Agriculture and not in the name of any particular officer or employee.

When a certificate of title is demanded by the purchaser of a Government-owned motor vehicle, either under a cash offer or where the vehicle is being taken in part payment on the purchase of new equipment by the Government an administrative officer or property officer of the bureau concerned will issue a certificate addressed "To Whom it May Concern" stating that the vehicle (showing make, model, engine number) was purchased on a certain date from a specific manufacturer or dealer, that no title was ever issued for it as it was the property of the Federal Government, that there are no liens outstanding against it, and the reason for the request for title.

1836. License Plates for Department-Owned Motor Vehicles.- License plates for department-owned motor vehicles headquartered in the District of Columbia will be obtained only upon written request from the bureau concerned addressed to the division of operation of the Department, which will conduct all negotiations with the municipal government involving the securing and transfer of titles and tags for all branches of the Department of Agriculture. (115)

DEPARTMENT OF AGRICULTURE

WASHINGTON

January 28, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 12.

Heretofore instructions governing disposition of unserviceable license plates for Department-owned motor vehicles have been contained in P. B. A. Circular No. 211, issued September 9, 1932, but as they are being changed it is desirable to include them in paragraph 1836, of the Regulations of the Department. This paragraph is therefore amended by the addition of a sub-paragraph prescribing that such plates shall be destroyed and a certificate covering such destruction sent to the Central Supply Section.

The revised paragraph which appears on the reverse side of this sheet is effective immediately. All copies of the Regulations should be amended accordingly.

Inasmuch as this title has been included in the Table of Contents and the Index no additions to those sections are required.

Harry L. Brown

Acting Secretary.

Standard Department of Agriculture plates are required to be used on all Department cars headquartered outside the District of Columbia to the exclusion of any other form of license plate except as may hereafter be specifically authorized by the Secretary.

Department plates will be purchased by the bureaus from the central supply section in the usual manner. Records, by individual tag numbers, of the use and disposition of plates shall be maintained currently at all times in the central office of each bureau. Department plates may not be used on vehicles other than those owned by the Department. Tags should be removed from vehicles which are sold, traded in, or turned over to other organizations outside of the Department. Illegible, soiled, marred, or unsightly plates should be replaced; such unserviceable plates should be turned over to the head of the office or field station who shall see that they are destroyed and that a statement certifying that the plates (by numbers) have been destroyed is sent to the central supply section through the appropriate bureau in Washington.

1837. Maintenance of Motor Vehicles.- Each bureau shall maintain an individual record of the cost of maintenance, upkeep, and repair (exclusive of garage rent, pay of operators, tires, fuel, and lubricants) on every motor-propelled passenger-carrying vehicle, except buses and ambulances, operated by it. (76)

Expenditures for maintenance, upkeep, and repair (exclusive of garage rent, pay of operators, tires, fuel and lubricants) on any one motor-propelled passenger-carrying vehicle, except buses and ambulances, during the fiscal year shall not exceed one-third of the market price of a new vehicle of the same make and class, and in no case in excess of $400.

1838. Operation and Servicing of Motor Vehicles in the District of Columbia.- The Motor Transport Service of the Division of Operation will furnish all motor truck transportation services required by the bureaus in the District of Columbia, unless the chief, division of operation, in consideration of certain facts and circumstances has specifically authorized or approved some other arrangement. Motor trucks owned or controlled by the several bureaus shall not be headquartered in the District of Columbia without such authorization.

Repairs to and servicing (including washing and greasing) of motor vehicles owned by the Department and operated by the bureaus in the District of Columbia shall be obtained through the Motor Transport Service. This service is also available and must be utilized whenever motor vehicles not coming within the above classification are in the District of Columbia and in need of such services. Requisitions for repairing and servicing of motor vehicles shall be made on the forms prescribed for that purpose, and reimbursement for work performed by the Motor Transport Service will be made by the bureaus in the usual manner.

DEPARTMENT OF AGRICULTURE

WASHINGTON

June 1, 1938

AMENDMENT TO THE REGULATIONS

Amendment No. 61.

There appears on the reverse side of this sheet a revision of regulation 1838, entitled "Motor Transport Service."

This action is necessitated by the fact that the revision of May 8, 1937, Amendment No. 26, is not altogether explicit. The regulation, as now revised, more clearly sets forth the functions of the Motor Transport Service of the Division of Operation and its relation to the bureaus.

The provisions of the paragraph, as revised, are promulgated effective immediately.

As the title and contents of regulation 1838 are being changed, the following changes should be made in the Table of Contents and in the Index:

Table of Contents:

Change "1838. Motor Transport Service"
to "1838. Operation and Servicing of Motor Vehicles in the District of Columbia"

Index:

Add:
"Vehicles
operation and servicing of - - - - - - - - 1838"

H A Wallace

Secretary.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

LIBRARY MATERIALS; NEWSPAPERS

1911. Definitions. As used under this heading,

1. Expendable Published Materials are published materials which are purchased or otherwise acquired for clipping, distribution, or other similar use, and the possible usefulness of which is exhausted in a relatively brief period.

2. *Non-expendable Published Materials are all others which do not come under 1 above.*

3. Working Tools are non-expendable published materials which the Department Librarian designates as needed so constantly for the use of one or more employees in a single office that they must be kept available in the office in which they are used. Only published materials which are used at least once a month by those to whom the materials are assigned may be classified as working tools.

4. *Newspapers are publications, usually recognizable by their characteristic form and style, containing general and current news, designed to be read by the public generally, although the type of news may be of interest only to a particular and more or less limited class or group of people. The term as used in appropriation acts and public laws dealing with authorities to purchase newspapers also includes services such as commercial press clipping services, which perform the same function as newspapers. Newspapers, except those purchased for permanent filing in the Department Library, are expendable.*

1912. Responsibilities *** for Acquisition and Use of Published Materials.

1. The Department Librarian (a) shall determine the policies governing the *purchase from public funds of all published materials except newspapers;* (b) shall purchase or otherwise acquire all published materials for use in Washington or the field, except expendable published materials costing not more than $1 each; and (c) shall supervise the use of published materials which may be acquired by or are now in any bureau.

2. *Purchases of newspapers from public funds shall be made only after approval by the Director of Information. The Director of Information shall consider the relative needs of the various bureaus and shall approve purchases of newspapers only when, in his opinion, their use is necessary to formulate and execute programs and policies of the Department. No newspaper shall be purchased for the personal use of an employee.*

1913. Ownership of Published Materials. All non-expendable published materials, regardless of the funds from which purchased or the method of acquisition, shall be the property of the Department Library.

1914. Availability of Funds for Purchase of Published Materials.

1. Expendable published materials shall be purchased only from *bureau funds, except that bureaus without funds available for purchase of newspapers may request such purchase from Library funds.*

Revised 5-26-43 (Amendment 164)

1914 (cont.)

2. Working tools shall be paid for from funds available to the bureau requesting purchase, if such funds may be expended for this purpose.

3. Law books, books of reference, periodicals, newspapers, and other published materials for use at the seat of government may be purchased only from appropriations specifically providing therefor. (1739) This restriction does not apply to published materials for field use, except for newspapers.

1915. Loan of Working Tools.

1. Published materials may be borrowed from the Department Library either as working tools or as other library materials. Published materials loaned as working tools shall be loaned only to bureaus, rather than to individuals. When the Department Library has only one copy of a publication, it may be assigned as a working tool only in exceptional cases. Published materials borrowed as working tools and no longer required by a bureau for such use shall be returned promptly to the Department Library. Published materials assigned as working tools shall be recalled by the Department Library only in emergencies. The chief of each bureau shall hold any individual in his bureau to whom a working tool is assigned strictly accountable for its preservation.

2. An annual inventory of working tools in each bureau shall be made by the bureau at such time as may be agreed upon by the Department Librarian and the bureau chief, and a copy of the inventory record shall be sent to the Department Library. The Department Librarian shall review such inventory, and shall, in consultation with the chief of the bureau, determine the working tools to be retained by the bureau and those to be returned to the Department Library.

1916. Loan of Other Library Materials.

1. Library materials may be borrowed by employees from the Department Library or from any of its branches or other facilities for periods not longer than one month, and briefer periods of loan shall be set by the Department Librarian for those materials which are needed by others. Materials borrowed for a month may be renewed for an additional month upon the borrower's request if they are not needed by others. Any library material, regardless of the period for which loaned, is subject to recall by the Department Library for the use of others when the need for the material is urgent.

2. Employees borrowing library materials shall be held strictly accountable for their use, preservation, and safe return within the loan period. Failure to return library materials when due may result in the withdrawal of loan privileges. Failure to replace library materials lost or damaged or to make reimbursement therefor shall be reported by the Department Library to the chief of bureau concerned, who shall see that the record is cleared.

3. Any employee leaving his official station for more than one week shall immediately return any library material charged to him. No employee shall take library material from the station at which it was charged to him without first obtaining the permission of the Department Library or the branch from which it was borrowed.

Library Materials; Newspapers

1917. Disposition of Published Materials. Books, periodicals, and other non-expendable published materials no longer required in any bureau shall be sent to the Department Library, which may retain them, exchange them for other published materials, or dispose of them otherwise, as authorized by law. (166, 1975)

(See also Regulations 1346, 1371, 1372, 1373, 1375, and 3182.)

1918. * Published Materials Procured from Superintendent of Documents. Any publications procured from the Superintendent of Documents are classified as Published Materials. A charge is included in the price for costs of handling, stocking, etc. When purchased in this way, these publications are in the same category as books purchased from a commercial bookstore. They may not be charged against the Printing and Binding Appropriation but must be charged against appropriations for Salaries and Expenses if available for the purchase of books (appropriations are not available for the purchase of law books, books of reference, and periodicals for use in Washington unless specifically provided in the law granting the appropriation) or if not available, to the funds available to the Library for this purpose. Such publications should be procured whenever possible through the Office of Information on the Department's "periodic requisition" on the Public Printer, as provided in Regulation 1358, thus saving the charges for handling, stocking, etc., referred to above. *

2. PERSONNEL REGULATIONS

1. Appointments
2. Duties of Employees
3. Classification of Positions
4. Promotions and Demotions
5. Leave
6. Reappointments
7. Transfers
8. Termination of Services

GENERAL PROVISIONS

2111. Contacts with the Civil Service Commission.- All requests on the Civil Service Commission affecting any changes in personnel and all correspondence relating thereto shall be prepared in the office of personnel upon recommendations submitted through the director of personnel by the chiefs of bureaus. Questions involving interpretation of and changes in the Civil Service rules and regulations shall be referred through the chief of bureau to the director of personnel for attention. (All contacts with the Civil Service Commission shall be made through the director of personnel and the divisions operating under his supervision.)

2112. Appointment of Employees Paid from Emergency Funds.- All appointments and reappointments made by the several executive departments, independent establishments, and emergency agencies, the salaries in connection with which are paid from emergency funds as distinguished from the appropriations for the regular activities of the Government, shall be made and specifically designated as either temporary or emergency appointments and in the case of emergency appointments shall be expressly limited as to the duration thereof to a period not extending beyond the expiration of the emergency appropriation from which such salaries are paid.

2113. State and Territorial Positions.- With the approval of the Secretary, employees of the Department may hold state and territorial positions and state and territorial employees, unless prohibited by law, may receive appointments under the Department, when in either case the Secretary deems such employment necessary to secure a more efficien administration of the duties of the Department.

2114. Acceptance of Voluntary Service Prohibited.- The acceptance of voluntary service for the Government or the employment of personal service in excess of that authorized by law, except in cases of sudden emergency, involving the loss of human life or the destruction of property, is prohibited.

The words "voluntary service," as employed in this connection, are not intended to cover services rendered in an official capacity under regular appointment to an office otherwise permitted by law to be nonsalaried.

Appointments of collaborators for services recognized and agreed to as gratuitous will be without compensation. Where an appointee is to perform a specific service, a definite remuneration will be indicated in the appointment paper and a title employed which shall properly describe the character of the contemplated service.

No person will be appointed a collaborator without compensation in the Department of Agriculture if that person is already under appointment in this Department, either as a collaborator or in some other capacity, since one appointment in a bureau or office of this Department is sufficient for the person to operate or function as a collaborator for any other bureau or office of the Department.

In general, individuals engaged in commercial enterprises will not be considered for appointment as collaborators. (1732)

2115. Employment of Publicity Experts Prohibited.- The Department is prohibited by law from paying the compensation of publicity experts from any of its appropriations, and chiefs of bureaus will see that no publicity expert is employed. (57)

2116. Aiding Others to Pass Civil Service Examinations Prohibited.- Under penalty of removal from the public service, employees are prohibited from giving instruction to or being concerned in any manner directly or indirectly in the instruction of persons or classes of persons preparing for civil service examinations, either privately or in schools or institutions claiming to give instruction along the lines of civil-service examinations. Employees are also prohibited from becoming concerned financially or otherwise in such schools or institutions.

2117. Preference to Honorably Discharged Soldiers, Sailors, and Marines, and Their Widows and Wives.- Persons honorably discharged from the military or naval service by reason of disability resulting from wounds or sickness incurred in the line of duty, shall be preferred for appointments to civil offices, provided they are found to possess the business capacity necessary for the proper discharge of the duties of such offices.

In making appointments to clerical and other positions in the executive branch of the Government in the District of Columbia, or elsewhere, preference shall be given to honorably discharged soldiers, sailors, and marines, and widows of such and to the wives of injured soldiers, sailors and marines, who themselves are not qualified but whose wives are qualified to hold such positions. (36, 37, 38)

DEPARTMENT OF AGRICULTURE

WASHINGTON

September 21, 1938

AMENDMENT TO THE REGULATIONS

Amendment No. 71.

A revision of regulation 2114, entitled "Acceptance of Voluntary Services Prohibited" appears on the reverse side of this sheet. It appears desirable to restrict the holding by an individual of more than one appointment in the Department as a collaborator.

The provisions of the regulation, as revised, are promulgated effective immediately.

Inasmuch as this subject has been included in the Table of Contents and the Index, no addition need be made to these sections.

M. L. Wilson

Acting Secretary.

General Provisions

2121. Appointments, Departmental Service. Unless otherwise provided by law, every person entering the service of the Department in the District of Columbia will be appointed by the Secretary, at the minimum salary rates prescribed for the appropriate grades under the Classification Act. No person appointed in the Department shall be permitted to enter upon the performance of his duties until the appointment has been approved by the Secretary. Chiefs of bureaus are authorized to recommend appointments to fill vacancies in their respective organizations, and to recommend promotions, demotions, dismissals, transfers, reinstatements, and other changes of personnel status. (43, 45, 46, 146, 216, 1730, 1731)

2157. Oath of Office.***

1. *Except as provided in paragraph 5, an oath of office must be executed, in all cases of original appointment, before any payment of salary can be made.* The oath of office should in no case be executed before the appointment is authorized by the Department. (11)

2. Oaths of office must be taken without expense to the United States. The oath of office may be taken before any officer who is authorized, either by the laws of the United States or by the local municipal law, to administer oaths in the State, Territory, or district where such oath may be administered. If there is no provision for authentication under seal by the executing officer, the qualifications of such officer shall be shown by a certificate of the clerk of court or other officer in charge of the record of his appointment or election.*** (12, 14)

3. When an oath of office is administered by a justice of the peace, his official capacity should be certified to by a clerk of a court of record of the county in which the justice of the peace resides.

4. A postmaster, who is not also a notary public, is not authorized to administer oaths of office to employees of the Department.

5. An employee who, upon original appointment, has subscribed to the oath of office is not required to renew the oath because of change in status so long as his services are continuous, unless the *Director of Personnel, at the direction of the Secretary or the War Food Administrator,* requires such renewal. Forest guards and other field employees engaged for temporary or occasional service are not required to take an oath of office.*** (13)

6. *Waiver or modification of the oath of office may be made by the Director of Personnel in any case where such oath is not required by law.*

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DEPARTMENTAL SERVICE - PERMANENT POSITIONS

2121. Appointments.- Unless otherwise provided by law, every person entering the service of the Department in the District of Columbia will be appointed by the Secretary, at the minimum salary rates prescribed for the appropriate grades under the Classification Act. No person appointed in the Department shall be permitted to enter upon the performance of his duties, until the appointment has been approved by the Secretary. Chiefs of bureaus are authorized to recommend appointments to fill vacancies in their respective organizations, and to recommend promotions, demotions, dismissals, transfers, reinstatements, and other changes of personnel status. (43, 45, 46, 146, 216, 1730, 1731)

2122. Requests for Certification of Eligibles.- When it becomes necessary to fill a position in any bureau by original appointment, a request for certification should be made to the director of personnel on Department Form No. 58. The request should show the title and classification of the position, the rate of compensation, the number of vacancies (if more than one), and the sex of eligibles desired. It should show also how the vacancies occurred; and if the position is new, the need for additional assistance should be indicated. Special or unusual qualifications required should be fully stated. If the request relates to temporary employment, the necessity for the employment should be fully stated, with an indication of the probable duration.

2123. Action on Civil Service Certificates.- Civil service certificates, together with examination papers of the persons certified thereon, will be transmitted to the chief of the requisitioning bureau by the Division of Appointments. Prompt action should be taken on all certificates, and selections and recommendations made without unnecessary delay. Recommendations or reports on all certificates should be submitted to the Department not later than 20 days after the receipt of the

certificate by the bureau concerned. No inspection or examination of papers of certified eligibles is permitted except for the purpose of selecting an appointee; and employees having occasion to inspect such papers are required to treat them as confidential.

2124. Selections from Certificates.- (a) Selections for appointment from all certificates must be made from groups of three names - that is, Nos. 1, 2, and 3 on a certificate must be considered first and a selection made from that group; if one written or oral declination is received or if the person selected from the group fails to respond within a reasonable time, the fourth name may be considered. Appointments, declinations, or failures to respond must occur in two instances before the fifth name certified can be considered.

(b) To expedite selection, a preliminary inquiry as to the eligible's willingness to accept appointment if offered (not a tender of appointment), may be addressed simultaneously to all eligibles considered suitable for appointment.

(c) Particular care must be taken to ascertain whether an eligible has two members of his family in the Government service; and, if so, to require him to state the relationship and the service in which such relatives are employed, and whether they all live under the same roof. In case of doubt as to eligibility for appointment under the provision of law relating to members of a family in the service, the facts should be submitted to the division of appointments for reference, if necessary, to the Civil Service Commission. (199)

DEPARTMENT OF AGRICULTURE

WASHINGTON

August 26, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 41.

There appears on the reverse side of this sheet a revision of the first page of paragraph 2124 of the Regulations of the Department, entitled "Selections from Certificates."

The repeal of section 213 of the act of June 30, 1932, 47 Stat. 406, by Public No. 212, 75th Congress, 1st Session, approved July 26, 1937, makes it necessary to modify section (c) of paragraph 2124 in order to make same consistent with the present law.

The provisions of this paragraph, as revised, are promulgated effective immediately.

Inasmuch as the title of paragraph 2124 is included in the Table of Contents, and appropriate items appear in the Index, no changes in these sections are necessary.

H A Wallace

Secretary.

(d) If it is impossible to make selection from the first certificate because of declinations or lack of responses by those certified, the papers should be returned to the division of appointments with a statement of the facts and a request for further certification. Whenever possible, written declinations should be obtained and should accompany the papers when returned to the division of appointments.

(e) Should none of the persons certified display the requisite qualifications for the position to be filled, the papers may be returned to the division of appointments and further certification requested. In these cases, however, a complete statement of reasons for objecting to the eligibles certified must accompany the return of the papers.

(f) When there is at least one eligible and not more than two eligibles on a register for any grade in which a vacancy exists, the Civil Service Commission shall, upon requisition from the proper appointing officer, certify the name of the one eligible or the names of the two eligibles, which shall be considered by the appointment officer with a view to probational appointment; and if the appointing officer shall elect not to make probational appointment from such certificate of less than three names, then if temporary appointment is required it shall be made from such certificate unless reasons satisfactory to the Commission are given why such appointment should not be made. Such temporary appointment may continue until three eligibles are provided.

(g) When there are no eligibles upon a register for any grade in which a vacancy exists and the public interest requires that it be filled before eligibles can be provided by the Commission, then the Commission may authorize temporary appointment without examination. Such appointment shall continue only for such period as may be necessary to make appointment through certification, and in no case, without prior approval of the Commission,

shall extend beyond thirty days from the receipt by the appointing officer of the Commission's certification of eligibles. (192)

2125. Recommendation for Appointment.- After selection has been made, the bureau will submit to the director of personnel a recommendation for the appointment of the person selected on Department Form No. 41. With this should be transmitted the proposed appointee's examination papers, and the original civil service certificate bearing indication of the person or persons selected, those declining, and those failing to respond to communications addressed to them. The recommendation should contain a reference to the number and date of the civil service certificate. It should show the prospective appointee's name, the position to which appointment is recommended, the classification grade, the salary, the appropriation unit, and the effective date of the proposed appointment. In case the bureau in making selection has passed over veterans and selected a non-veteran with the same or a lower rating, the reason therefor must be stated in detail under "Remarks."

2126. Notice of Appointment.- Notice of appointment, subject to taking the oath of office, will be sent to the bureau by the division of appointments for transmittal to the appointee. The bureau will take the necessary steps to notify the appointee, indicating where and when he should report for duty.

The effective date of the appointment must coincide with the date the appointee actually reported for duty. When for any reason an appointee fails to report for duty on the date indicated in his original notice of appointment, the bureau must take action to correct the record in the office of personnel. (192)

DEPARTMENT OF AGRICULTURE

WASHINGTON

August 26, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 42.

There appears on the reverse side of this sheet a revision of paragraph 2125 of the Regulations of the Department entitled "Recommendation for Appointment."

The repeal of section 213 of the act of June 30, 1932, 47 Stat. 406, by Public No. 212, 75th Congress, 1st Session, approved July 26, 1937, makes it necessary to modify certain portions of paragraph 2125 in order to make same consistent with the present law.

The provisions of this paragraph, as revised, are promulgated effective immediately.

Inasmuch as the title of paragraph 2125 is included in the Table of Contents, and appropriate items appear in the Index, no changes in these sections are necessary.

H A Wallace

Secretary.

2127. Physical Examination, Fingerprinting, and Declaration of Appointee.- Before assuming duty, each new appointee from a civil service certificate must report to the division of appointments where arrangements will be made with the Public Health Service for the physical examination required by the Executive Order of June 18, 1923 (temporary appointees are not required to take the physical examination), and for fingerprinting. The declaration of appointee, which is required for temporary as well as permanent appointees, will be executed following the receipt of the report of physical examination.

2128. Oath of Office, Personal History Statement.- In all cases of original appointment an oath of office must be executed before any payment of salary will be made. An employee, who upon original appointment, has subscribed to the oath of office is not required to renew said oath because of change of status so long as his services are continuous, unless the Secretary requires such renewal. (12)

The oath of office and personal history statement (Standard Form No. 6) must be filled out by the employee before or immediately upon assuming duty and forwarded at once, through the chief of bureau, to the chief, division of appointments. (11).

The oath of office may be taken before any officer who is authorized either by the laws of the United States or by the local municipal law, to administer oaths, in the State, Territory, or district where such oath may be administered. If there is no provision for authentication under seal by the executing officer, the qualifications of such officer shall be shown by a certificate of the clerk of the court or other officer in charge of the record of his appointment or election. The chief clerks of the Department and of

the various bureaus in Washington, D. C. are authorized and directed, on application and without compensation therefor, to administer oaths of office to employees required to be taken on their appointment or promotion. Persons occupying the positions which, under the Classification Act of 1923, as amended, correspond to the office of chief clerk are authorized to administer oaths. A postmaster who is not also a notary public is not authorized to administer oaths of office to employees of the Department. (13, 14)

DEPARTMENTAL SERVICE - EXCEPTED AND TEMPORARY POSITIONS

2131. Appointments to Excepted Positions.- All recommendations for appointment to unclassified or excepted positions shall be accompanied by a statement specifying the clause of the civil service rules under which the appointment is recommended, together with the prospective appointee's name, compensation, designation, and qualifications for appointment, and the duties of the position to which it is proposed to assign him. That portion of the statement concerning the qualifications of the appointee and his duties shall be in such detail as to enable the Civil Service Commission to determine whether the appointment is made under the proper clause.

2132. Method of Selection for Temporary Appointment.- If the needs of any bureau are such as to require a temporary appointment pending the filling of a vacancy by probational appointment, transfer, or reinstatement, or for the performance of special work not warranting a permanent appointment, it is necessary either to submit the customary request for the certification of eligibles by the Civil Service Commission or to secure the commission's prior authorization for the appointment in the absence of eligibles.

2133. Extension of Temporary Appointment.- Any temporary appointment which is limited by the Civil Service Commission to a specific date will be terminated on that date unless the commission's authority for extension has been secured. In circumstances requiring the extension of such an appointment, it is imperative that a recommendation be made to the Director of Personnel at least two weeks before the date of expiration to permit a full consideration of the case, both by the department and by the Civil Service Commission.

2134. Temporary Appointment to Scientific Positions.- A temporary appointment to a scientific, technical, or professional position requires the prospective appointee to file Civil Service Form No. 375 showing he possesses the requisite qualifications for the duties to be performed. This should be submitted to the director of personnel with the request for the authorization of the temporary appointment.

2135. Temporary Laborers.- The Civil Service Commission maintains a list of unskilled laborers available for immediate employment for short periods in the District of Columbia. Certifications from this list may be secured from the division of appointments in the usual manner. In urgent cases where the immediate appointment of a laborer is required, the names of the eligibles may be secured by telephone before the receipt of a certificate.

2136. Temporary Appointments Which May Be Made Permanent.- The temporary appointment of a civil-service eligible does not affect his standing on the register for permanent employment, and his experience gained as a temporary appointee does not in any way vary the order of his standing for permanent appointment. Should the needs of the service require it, a temporary appointment may be made permanent upon the receipt of written authority from the Civil Service Commission, which may be granted if the temporary appointee was within reach for certification for permanent appointment at the time of his temporary appointment, or comes within reach during his temporary service.

FIELD SERVICE - SELECTION OF APPOINTEES

2141. Field-Service Appointments Subject to Civil-Service Rules.- Except as may be otherwise provided by law or special regulations, all appointments and other changes affecting the status of employees in the field services under the Department will be made in accordance with these regulations and the civil-service rules. (43)

2142. Selection of Appointees.- Unless otherwise provided by law or by these regulations, every person entering the service will be appointed by the Secretary or persons designated by him at the minimum salary rates for appropriate grades under the Classification Act, upon the recommendation of the chief of bureau. Except as may be otherwise provided, selections for appointment shall be made by field officers from certificates of eligibles furnished by the district manager.

2143. Civil-Service Districts.- Following is a list of the 13 civil-service districts, showing the headquarters of the district manager and the territory included in each district:

District	Headquarters	Territory
1st	Post Office and Courthouse Bldg., Boston, Mass.	Me., N.H., Vt., Mass., R.I., and Conn.
2nd	Federal Building, New York, N. Y.	N.Y., and counties of Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Sussex, and Union in the State of New Jersey.

Field Service -
Selection of Appointees

District	Headquarters	Territory
3rd	Old Post Office, Philadelphia, Pa.	Pa., Dela., and counties of Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Hunterdon, Mercer, Ocean, Salem, Somerset, and Warren in the State of New Jersey.
4th	7th & F Streets, N.W., Washington, D.C.	Md., W.Va., Va., N.C., and the D.C.
5th	New Post Office, Atlanta, Ga.	S.C., Ga., Ala., Fla., Miss., and Tenn.
6th	Old Post Office, Cincinnati, Ohio	Ohio, Indiana and Kentucky.
7th	New Post Office, Chicago, Ill.	Wis., Mich., and counties of Boone, Bureau, Carroll, Cooke, DeKalb, Dupage, Ford, Grundy, Henderson, Henry, Iroquois, Jo Daviess, Kane, Kankakee, Kendall, Knox, Lake, LaSalle, Lee Livingston, McHenry, Marshall, Mercer, Ogle, Peoria, Putnam, Rock Island, Stark, Stephenson, Warren, Whiteside, Will, Winnebago, and Woodford in the State of Illinois.
8th	New Post Office, St. Paul, Minn.	Minn., N.D., S.D., Nebr., and Iowa

Field Service -
Selection of Appointees

District	Headquarters	Territory
9th	New U.S. Courthouse and Customhouse, St. Louis, Mo.	Kans., Mo., Ark., Okla., and the Counties of Adams, Alexander, Bond, Brown, Calhoun, Cass, Champaign, Christian, Clark, Clay, Clinton, Coles, Crawford, Cumberland, DeWitt, Douglas, Edgar, Edwards, Effingham, Fayette, Franklin, Fulton, Gallatin, Greene, Hamilton, Hancock, Hardin, Jackson, Jasper, Jefferson, Jersey, Johnson, Lawrence, Logan, McDonough, McLean, Macon, Macoupin, Madison, Marion, Mason, Massac, Menard, Monroe, Montgomery, Morgan, Moultrie, Perry, Plat, Pike, Pope, Pulaski, Randolph, Richland, St. Clair, Saline, Sangamon, Schuyler, Scott, Shelby, Tazewell, Union, Vermillion, Wabash, Washington, Wayne, White, and Williamson in the State of Illinois.
10th	Customhouse, New Orleans, La.	Louisiana and Texas
11th	Federal Office Bldg., Seattle, Wash.	Wash., Ore., Ida., Mont., and Alaska

District	Headquarters	Territory
12th	995 Market Street, San Francisco, California	California, Nevada and Arizona.
13th	Post Office, Denver, Colorado.	Colo., N.Mex., Utah, and Wyo. (including the Yellowstone National Park.)

The Civil Service Commission is represented in Hawaii by the secretary, Board of Civil Service Examiners, Honolulu; in Puerto Rico, by the chairman, Puerto Rican Civil Service Commission, San Juan; in the Canal Zone by the secretary, Board of U. S. Civil Service Examiners, Balboa Heights; and in the Philippine Islands by the director of Civil Service, Manila.

2144. Correspondence with Civil-Service District Manager.- No official correspondence shall be conducted with the civil-service district managers or local civil-service secretaries concerning appointments, certifications, and examinations except by field officers duly authorized by the chief of bureau. If the services of an employee are required at temporary field headquarters or where no authorized bureau field official is stationed, requests for certification will be made upon the district manager by the chief, division of appointments, in Washington.

2145. Requisition on the District Manager.- When a vacancy occurs which it is desired to fill by new appointment, the field officer should submit to the civil-service district manager of the district in which the vacancy exists, on the form provided for the purpose, a request for the certification of eligibles from which selection may be made.

2146. Selections from Certificates.- (a) Upon receipt from the district manager of the certificate and accompanying papers, the latter should be carefully examined by the field officer with a view to the selection of the most suitable person. If the field officer desires to base his selection upon personal interviews as well as upon the information disclosed by the examination papers, he may request any of the persons certified who may be locally available to call upon him.

(b) Selections for appointment from all certificates must be made from groups of three names - that is, Nos. 1, 2, and 3 on a certificate must be considered first and a selection made from that group; if one written or oral declination is received or if a person selected from the group fails to respond within a reasonable time, the fourth name may be considered. Appointments, declinations, or failures to respond must occur in two instances before the fifth name can be considered.

(c) To expedite selection a preliminary inquiry as to eligible's willingness to accept appointment if offered (not a tender of appointment) may be addressed simultaneously to all eligibles considered suitable for appointment.

(d) Particular care must be taken to ascertain whether an eligible has two members of his family in the Government service, and, if so, to require him to state the relationship and the service in which such relatives are employed, and whether they all live under the same roof.

DEPARTMENT OF AGRICULTURE

WASHINGTON

August 26, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 43.

There appears on the reverse side of this sheet a revision of the first page of paragraph 2146 of the Regulations of the Department, entitled "Selections from Certificates."

The repeal of section 213 of the act of June 30, 1932, 47 Stat. 406, by Public No. 212, 75th Congress, 1st Session, approved July 26, 1937, makes it necessary to modify section (d) of paragraph 2146 in order to make same consistent with the present law.

The provisions of this paragraph, as revised, are promulgated effective immediately.

Inasmuch as the title of paragraph 2146 is included in the Table of Contents, and appropriate items appear in the Index, no changes in these sections are necessary.

H A Wallace

Secretary.

In case of doubt as to the eligibility for appointment under the provision of law relating to members of a family in the service, the facts should be submitted to the district manager for his consideration and determination.

(e) If it is impossible to make selection from the first certificate because of declinations or lack of responses by those certified, the papers should be returned to the district manager with a statement of the facts and a request for further certification. Whenever possible, written declinations should be obtained and should accompany the papers when returned to the district manager.

(f) Should none of the persons certified display the requisite qualifications for the position to be filled, the papers may be returned to the district manager and further certification requested. In these cases, however, a complete statement of reasons for objecting to the eligibles certified must accompany the return of the papers.

FIELD SERVICE -
APPOINTMENTS TO PERMANENT POSITIONS

2151. Recommendation for Appointment.- After selection has been made, the field officer will submit to the district manager for transmission to the chief of bureau, a recommendation for the appointment of the person selected. The recommendation should show the prospective appointee's name, the position to which appointment is recommended, the salary, and the effective date of the proposed appointment. It should contain a reference to the number of the civil-service certificate. It should be accompanied by the original and duplicate civil-service certificate bearing indication of the person or persons selected, those declining, and those failing to respond to communications addressed to them. Written declinations, and the examination papers of the persons certified but not selected, should also accompany the civil-service certificate when returned to the district manager. In case the field officer in making selection has passed over veterans and selected a nonveteran with the same or a lower rating, the reason therefor must be stated in detail in the recommendation.

2152. Examination Papers of Persons Selected.- The examination papers of a person recommended for appointment may be retained until he reports for duty, when they will be transmitted to the district manager together with the declaration of appointee.

2153. Notice of Appointment.- Notice of appointment will be sent by the Division of Appointments to the field officer through the chief of bureau. The field officer will take the necessary steps to notify the appointee, indicating where and when he should report for duty. Whenever an eligible declines appointment after selection but before entrance upon duty, the notice of appointment should be returned to the chief of bureau with recommendation for its cancellation. The district

manager should be advised of the declination and the recommendation for the cancellation of the appointment and, if practicable, furnished with the written declination. The field officer may, in such cases, proceed to request another certification under the original authority.

2154. Date Effective.- The date effective of an appointment must coincide with the date the appointee actually reports for duty. When for any reason an appointee fails to report for duty on the date indicated in his original notice of appointment, the field officer must take action to correct the record in the office of personnel.

2155. Physical Examination and Fingerprinting.- A physical examination by a duly authorized Federal medical officer is required of all persons selected for probational appointment in the Department before they are assigned to duty or are instructed to report for duty. This requirement is not only in the interest of the Federal service but also in the interest of the individual who might otherwise resign a position to accept Federal employment only to find that he cannot be appointed because of his physical condition. The certificate of medical examination should be attached to the bureau's recommendation for appointment unless the appointment is to a position filled through the Civil Service District System, in which event the medical certificate is to be forwarded to the Civil Service district manager with the bureau's nomination for appointment.

Except in cases of real emergency, appointments will not be approved unless physical examinations have been given the employee and the medical certificates are submitted. If occasion should arise where it would be necessary to have an employee report for duty in an emergency, before he has taken the physical examination, the prospective em-

DEPARTMENT OF AGRICULTURE

WASHINGTON

February 16, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 16.

There appears on the reverse side of this sheet an amendment to paragraph 2155, "Physical Examination and Fingerprinting," of the Regulations of the Department. This amendment is made for the purpose of emphasizing upon employees the desirability of securing a report of the physical condition of a prospective employee before permitting him to enter upon duty. It also describes the procedure to be followed in securing a physical examination. This amendment is promulgated effective immediately.

Inasmuch as this subject is included in the Table of Contents and the Index no additions need be made to those sections.

H A Wallace

Secretary.

ployee should be advised that he will be expected to pass a satisfactory medical examination as a prerequisite to appointment. This should be sufficient to place him on notice that his appointment, if selected, depends upon his physical fitness for the position under consideration. It is believed that in the great majority of cases it will be possible for the Department of Agriculture to determine from the medical certificates presented whether or not the appointment of prospective employees may be safely approved, but if there are any doubtful cases they will have to be submitted to the medical officer of the Civil Service Commission for final approval before the persons selected for appointment are assigned to duty.

Lists of places where full-time Federal medical officers are available may be secured from the division of appointments of the Department in Washington or from any district office of the Civil Service Commission. There will be no charge for physical examination when the examination is performed by a full-time Federal medical officer.

The names and addresses of physicians who have been designated under the Employees' Compensation Act, and whose medical certificates are acceptable to the Civil Service Commission, may be secured from the U. S. Employees' Compensation Commission in Washington or any of its branch offices. In the event a prospective appointee is examined by one of these designated physicians he will be required to pay whatever fee the doctor charges for his services.

Fingerprinting.- All persons permanently appointed in the Department from certificates issued by the Civil Service Commission for probational appointment and reinstatement will be fingerprinted, and selections will not have the Commission's final approval until the fingerprint chart of the employee has been received by the Commission. This does

not mean, however, that appointees cannot assume their duties before being fingerprinted, although the fingerprints should be made immediately upon reporting for duty provided they have not been taken prior to that time.

Each district office of the Civil Service Commission maintains a list of cities where fingerprint facilities are available, and it is the practice to supply a fingerprint outfit to isolated offices whenever necessary so that appointees need not travel more than seventy-five miles in order to be fingerprinted.

Persons permanently appointed from Civil Service certificates for duty at points in Maryland or Virginia near the District of Columbia, such as Arlington, Beltsville, etc., will be fingerprinted in the Division of Appointments, Administration Building, Washington, D. C.

2156. Declaration of Appointee.- Before assignment to duty of a person selected from the register for probationary or temporary appointment, he shall be required to execute Civil Service Commission Form No. 124 (declaration of appointee), which, together with the appointee's examination papers, should promptly be forwarded to the district manager for filing. If it should appear from an inspection of this form that the appointment is not permissible, the case should be submitted to the district manager for a determination of the proper action to be taken.

2157. Oath of Office; Personal-History Statement.- In all cases of original appointment, an oath of office must be executed by the appointee before any payment of salary can be made. Oaths of office must be taken without expense to the United States. The oath of office may be taken before any officer who is authorized either by the

laws of the United States or by the local municipal law, to administer oaths, in the State, Territory, or district where such oath may be administered. If there is no provision for authentication under seal by the executing officer, the qualifications of such officer shall be shown by a certificate of the clerk of the court or other officer in change of the record of his appointment or election. The oath of office should in no case be executed before the appointment is authorized by the Department. Persons receiving original appointment must also fill out a personal-history statement (Standard Form No. 6). The oath and personal-history statement should be carefully reviewed by the field officer and forwarded immediately to the chief of bureau for transmittal to the Department.

An employee, who upon original appointment, has subscribed to the oath of office is not required to renew said oath because of change of status so long as his services are continuous, unless the Secretary requires such renewal. Forest guards and field employees engaged for temporary or occasional service, are not required to take an oath of office. Where deemed administratively desirable such employees may, under bureau instructions, be required to subscribe to a declaration of their entry upon duty before a forest ranger or other commissioned employee of the Government.

When an oath of office is administered by a justice of the peace, his official capacity should be certified to by a clerk of a court of record of the county in which the justice of the peace resides.

A postmaster, who is not also a notary public, is not authorized to administer oaths of office to employees of the Department. (11, 12, 13, 14)

FIELD SERVICE

APPOINTMENTS TO UNCLASSIFIED POSITIONS

2161. Appointments to Unclassified Field Positions.- Regular vacancies in the unclassified positions of unskilled laborer, charwoman, etc., in the cities in which district managers or local civil-service secretaries are located must be filled from certificates issued by the district manager or local secretary whose district includes the city in which the person whose appointment is desired is to be employed, and the same procedure followed as in the case of persons to be recommended for appointment to classified positions. When vacancies in these positions occur in cities in which district managers or local civil-service secretaries are not located, recommendations should be made to the secretary through the chief of bureau for appointment of local candidates without reference to these regulations.

All recommendations and requests for certifications for unclassified positions must state in full the actual duties to which the proposed appointee will be assigned. Compensation schedules fixed by the Classification Act are not applicable to employees in positions the duties of which are to perform or assist in apprentice, helper, or journeyman work in a recognized trade or craft and skilled or semi-skilled laborers, except such as are under the direction and control of the custodian of a public building or perform work which is subordinate, incidental, or preparatory to work of a professional, scientific or technical character. (215)

Temporary unskilled laborers engaged for the field work of the Department may be paid wages at local current rates without regard to the rates established by the Classification Act of 1923, as amended. (197)

2162. Emergency Appointments Prior to Receipt of Notice of Appointment.- Persons recommended for appointment, either permanent, or temporary (original or extension), must not be assigned to duty before the receipt of information that the appointment has been approved by the Secretary of Agriculture. Emergency appointments may be recommended by telegrams which should contain all the information necessary for administrative action, viz:

1. Name. In full, when possible, rather than initials, with particular care in the spelling;

2. Designation. The title which will be used in the appointment papers, i.e., Junior Clerk, Junior Forester, etc.;

3. Salary. On the yearly basis where possible;

4. Date Effective. This should be the date on which the appointee is to enter upon duty - not, of course, prior to that upon which it may be reasonably expected the Secretary will sign the appointment papers.

If the bureau chief approves the telegraphic request for appointment, he should endorse the telegram accordingly and send it by special messenger to the director of personnel. The bureau will be promptly notified of the Secretary's action on the case. This telegraphic appointment will be confirmed as soon as possible thereafter by recommendation submitted to the director of personnel on the standard form provided for such purpose and the usual formal notification of appointment will be issued in due course.

Pursuant to the act of June 26, 1930, Public No. 441, the Secretary may delegate authority to subordinates under such regulations as he may prescribe, to employ personnel for duty in the field service of the Department. Use of this delegated

authority will be strictly confined to cases where mail transmitted between the field and Washington would delay urgently needed employment to the prejudice of the service.

The Department will not accept as satisfactory the report of a field officer that any person was improperly assigned to duty through oversight, carelessness, indifference to instructions, or failure to take the necessary steps in sufficient time to permit action by the Department.

2163. Employment Under Letter of Authorization. In case of the need of emergency assistance outside of Washington, D. C., employment under Letter of Authorization is authorized, as provided in Personnel Circular No. 42 (Revision I), and any revisions or supplements thereto which may be issued from time to time by the Director of Personnel.

DEPARTMENT OF AGRICULTURE

WASHINGTON

AMENDMENT TO THE REGULATIONS

Amendment No. 127 June 11, 1941

On the reverse side of this page appears a revision of Regulation 2163, entitled "Employment Under Letter of Authorization," which supersedes Amendment No. 22, dated April 7, 1937, and is promulgated effective immediately.

The revised Regulation authorizes employment in the field service under Letter of Authorization, as provided in Personnel Circular No. 42 (Revision I), and any revisions or supplements thereto.

No changes in the Table of Contents or in the Index will be necessary.

Paul H. Appleby

Under Secretary.

FIELD SERVICE -
APPOINTMENTS TO TEMPORARY POSITIONS

2171. Method of Selection for Temporary Appointment under District System.- If the needs of any field station are such as to require a temporary appointment pending the filling of a vacancy by probational appointment, transfer, or reinstatement, or for the performance of special work not warranting a permanent appointment, it is necessary either to submit the customary request for the certification of eligibles by the district manager or to secure the prior authorization of the district manager or local secretary for the appointment in the absence of eligibles.

2172. Requests for Certification for Temporary Appointment.- Requisition for the certification of eligibles for temporary appointments should be made in the same manner as that provided for permanent appointment except that the district manager should be acquainted with the reasons necessitating the appointment and its probable duration. In making the requisition upon the district manager the field officer should request authority to appoint a suitable person without examination in the event no eligibles are available or those certified decline appointment.

2173. Temporary Appointment in the Absence of Eligibles.- If the district manager is unable to furnish a list of eligibles, the appointment of any suitable person may be recommended by letter to the chief of bureau, forwarded in duplicate through the office of the district manager.

2174. Temporary Appointments from Incomplete Certificates.- When less than three names are certified for probational appointment and it is decided not to make a probational appointment from such "incomplete" certification, one of the persons so certified must be selected and recommended

for temporary appointment, if temporary appointment is necessary or desirable, unless satisfactory reasons for otherwise filling the vacancy temporarily are given the district manager. In such a case the temporary appointment may continue until a certification of three eligibles is received by the field officer and for a period not to exceed 30 days thereafter.

2175. Duration of Temporary Appointment.- A temporary appointment may be made for the performance of special work (job employment) for a period not to exceed three months. A temporary appointment to a permanent position may be made for a period not to extend beyond 30 days from the receipt of a certification of eligibles issued for probationary appointment, or certificate authorizing promotion, reinstatement, or transfer to the position. Either appointment is subject to civil-service approval.

2176. Extension of Temporary Appointment.- If it is necessary to extend a temporary appointment beyond the period originally authorized, the prior authority of the Department and the district civil-service manager should be secured for a specific period in all cases. No temporary appointment for job work can be extended beyond six months except under unusual circumstances, and then only with the prior authority of the Civil Service Commission, obtained through the district manager for the purpose of completing the job for which the appointment was originally made. An extension shall not be effective and the services of an employee to be retained beyond the period originally authorized shall not be continued until the field officer has been notified that the extension has been authorized by the Secretary.

2177. Temporary Appointments to Positions Not under District System.- Recommendations for temporary appointments to field positions not under the district system will be forwarded direct to the chief of bureau for transmittal to the director of personnel. Such appointments must be made from certificates issued by the Civil Service Commission at Washington upon requests prepared by the division of appointments.

HOURS OF DUTY

2211. Hours of Duty. Hours of duty in the Department of Agriculture are hereby established in accordance with the provisions of Personnel Circular No. 108 (Revision I), and any revisions or supplements thereto which may be issued by the Director of Personnel, at my direction.

DEPARTMENT OF AGRICULTURE

WASHINGTON

AMENDMENT TO THE REGULATIONS

Amendment No. 138 January 20, 1942

On the reverse side of this page appears a revision of Regulation 2211, entitled "Hours of Duty," which supersedes Amendment No. 129, dated July 26, 1941, and is promulgated effective January 26, 1942.

The revised Regulation authorizes hours of duty in the Department as provided in Personnel Circular No. 108 (Revision I), and any revisions or supplements thereto which may be issued by the Director of Personnel.

No changes in the Table of Contents or in the Index will be necessary.

Claude R. Wickard

Secretary

PRINCIPLES OF CLASSIFICATION

2311. Classification Act of 1923.- "The Classification Act of 1923" provides that "the head of each department shall allocate all positions in his department in the District of Columbia to the appropriate grades in the compensation schedules contained in Section 13 of the Act, and shall fix the rate of compensation thereunder in accordance with the rules prescribed in Section 16 herein. Such allocations shall be reviewed and may be revised by the Personnel Classification Board" (now U. S. Civil Service Commission).

Classification of the field service (allocations covering positions customarily located outside the District of Columbia, not subject to approval by the Civil Service Commission) will be made by the head of the Department through the director of personnel.

2312. Organization Changes to be Approved by Director of Personnel.- Where organizations or reorganizations are planned within the various bureaus, in Washington or in the field, involving the establishment, discontinuance, merger, or other change in the status or personnel of constituted parts of a bureau, such organization or reorganization plans shall be submitted in advance to the director of personnel. No such changes are to be made until such plans have been approved by the director of personnel.

CLASSIFICATION PROCEDURE

2321. Procedure for Allocation of Positions.- Allocations will in all cases be reported to the director of personnel, on Classification Sheet, Civil Service Form 2931 (January, 1934).

The classification sheets will be typewritten in triplicate and will be signed by the officer or employee who prepares them, and will be reviewed and signed by the head of the bureau where the employee works or by someone designated by him for the purpose.

Classification sheets must be numbered in series by the reporting officers (usually the bureau personnel officer) in the space provided for the purpose in the upper right-hand corner.

The bureau recommendation for allocation and the Department allocation should be indicated by symbol in the block provided for the purpose in the upper right-hand corner.

2322. New Appointments.- Additions of employees by certification, by reinstatement, and by transfer will be reported as new appointments.

2323. New Positions.- Whenever a bureau or office creates a new position the Commission's approval of the allocation of such position should be secured in advance of appointment to the position. The term "new position" as used in this connection means either (1) a position newly created in addition to positions already in existence; or (2) a position that takes on a new character because of a material and substantial change in the position resulting either from (a) the addition of entirely new duties or responsibilities; (b) the abandonment of old duties or responsibilities; or (c) a difference in time distribution or a decrease or increase in importance of duties or responsibilities.

2324. Change in Duties and Other Changes.- A change in duties will be reported whenever there is a permanent and material change in the character of an employee's work, from that previously reported to the Commission. It may occasionally be desirable to submit a classification sheet which does not involve a change in grade: as for example, when it is considered necessary to bring a job description up to date, or where there has been a reorganization of work without involving a material change in the positions.

2325. Vacancies and Old Positions.- In the case of an existing position which has already been allocated by the Commission, the allocation continues to apply to that position as long as the duties and responsibilities remain unchanged.

2326. Detail of Employees.- An employee may be detailed from one position to another without having a new classification sheet submitted indicating such change, provided the period of detail does not exceed one hundred and twenty (120) days. If the period of detail does exceed one hundred and twenty days a new classification sheet should be prepared and forwarded through channels to the director of personnel of the Department for approval by the Civil Service Commission. (See also Paragraph 2712.)

2327. Title of Position.- The classification title of a position should be given on line 9 (C.S.C. Form 2931), after which should be shown the customary office title: to illustrate, Clerk (bookkeeper); Jr. Administrative Assistant (head clerk).

2328. Description of Work.- The description of the work performed should be prepared with care and should show clearly, concisely, and accurately, the actual duties of the employee. Superfluous adjectives and general terms as "handle," "assist,"

etc., should be avoided. No conclusions such as "performs the most difficult work," "requires specialized knowledge," etc., should be incorporated in the description. The facts should be given and the classification officers allowed to reach their own conclusions.

2329. Qualifications of Employees.- The actual qualifications and experience of each person who is allocated to the Professional or Subprofessional service, or to any grade above Grade 3 of the Clerical, Administrative and Fiscal service should be given. In every case the employee's experience and other special qualifications which are pertinent to the position reported should be stated.

If the person to be appointed has not been determined upon, the minimum qualifications which are to be required should be stated in the space provided for the qualifications of the employee. When the position is filled a classification sheet for the individual who is selected will be immediately prepared and forwarded to the director of personnel.

APPEALS

2331. Appeal Procedure.- Any employee shall have the right to appeal to the Civil Service Commission from the allocation of the position which he occupies or such appeal may be made by his official superior. Appeals should be presented on P.C.B. Form 13 provided for the purpose.

Any appeal, whether originating with the employee or with his official superior, shall bear the recommendation and comments of the administrative head of the bureau in which the employee serves, and shall be forwarded through channels to the director of personnel.

Upon receipt by the Civil Service Commission the appeal will be docketed in the order of its receipt and the Commission will notify the employee and the director of personnel of the date the case was docketed and give the docket number.

If the Commission finds it desirable in any case or if the Department or the employee so requests in writing, a hearing will be held before the Board of Appeals and Review of the Civil Service Commission. The employee's immediate superior or his representative and the employee concerned may then appear before the Board to present the case.

In connection with a hearing the employee shall have the opportunity to present orally or in writing information he believes to be pertinent to his case. The Civil Service Commission may request the presence at the hearing of any departmental official who may possess information bearing on the case.

When final action is taken by the Commission on an appeal the Department and the employee will be notified.

2411. Efficiency Ratings. The efficiency of employees in the departmental and field services will be rated and recorded each year as of April 15. Boards to review efficiency ratings shall be appointed and every employee shall be notified promptly as to his efficiency rating, both adjective and numerical, on the prescribed uniform notification form. Position coverage, conditions, uses, procedures for rating, together with the method of appointing boards of review and the prescribed standard employee notification forms shall be determined and promulgated by the Director of Personnel in accordance with instructions issued by the Civil Service Commission pursuant to provisions of the Classification Act of 1923, as amended, and Executive Order 7916 (June 24, 1938).

2412. Vacancies to be Filled by Promotion Wherever Possible. As a general policy, vacancies in positions will be filled by the promotion of employees of lower grade if they are available and have qualifications equal to persons not in the service. Promotion of an employee to a position for which he has not previously qualified through an examination requires the prior approval of the Civil Service Commission.

It is the policy of the Department to recognize conspicuous accomplishment by appropriate increases in compensation, and the need is emphasized for rigid adherence to a promotion program which excludes from consideration all factors other than constructive and effective service.

2413. Rules for Salary Increases. The following rules are prescribed by the Civil Service Commission to establish ratings which employees must attain to be eligible for salary increases:

(1) An employee attaining a final rating of "Excellent" or "Very Good" is eligible for a salary increase within the grade to which his position is allocated if he is not already receiving the maximum pay rate of his grade.

(2) An employee attaining a final rating of "Good" is eligible for a salary increase up to, but not beyond, the middle salary rate of the grade to which his position is allocated, but if he is already receiving a salary higher than the middle rate of his grade, he is not subject to a salary reduction on that account.

(3) For Cu-2 and Cu-3 the fourth salary rate will be considered the middle rate. (217)

2414. Rules for Salary Reductions, Demotions, or Dismissals. The following rules are prescribed by the Civil Service Commission to establish ratings which no employee may receive without being demoted to other duties or reduced in salary, or both, or dismissed for inefficiency:

(1) An employee whose final rating is "Unsatisfactory" will not be continued longer in the work upon which he was engaged during the period covered by the rating. He will be assigned to duties more nearly commensurate with his ability, in a lower classification grade, and his compensation will be fixed at a rate not in excess of the middle salary rate for such grade. Should no suitable vacancy be available in a lower classification grade, he will be separated from the service for inefficiency.

(2) An employee whose final rating is "Fair" and who is receiving a salary above the middle salary rate of the grade to which his position is allocated, will be demoted one salary step, but if he is already receiving a salary equal to or below such middle salary rate, he is not subject to a salary reduction on that account.

DEPARTMENT OF AGRICULTURE

WASHINGTON

April 3, 1940

AMENDMENT TO THE REGULATIONS

Amendment No. 101

There appears on the reverse side of this sheet a revision of Regulation 2411 "Efficiency Reports and Register", hereafter to be entitled "Efficiency Ratings", which is promulgated effective immediately.

The purpose of this revision is to provide a new date for the rating of efficiency as directed by the Civil Service Commission and to provide for the establishment and operation of a system for rating the efficiency of field employees of the Department of Agriculture pursuant to the provisions of Executive Order 7916 (June 24, 1938).

The following revisions should be made in the Table of Contents and Index:

Table of Contents:

Change 2411. Efficiency Reports and Register.
To 2411. Efficiency Ratings.

Index:

Change "Efficiency reports" to "Efficiency ratings" under the following headings:

Classification Act
Departmental service
Efficiency reports
Employees
Personnel
Reports

H A Wallace

Secretary.

(3) For Cu-2 and Cu-3 the fourth salary rate will be considered the middle rate.

(4) No employee will be demoted or dismissed for inefficiency on the basis of a rating covering a period of less than 90 days.

(5) Under the provisions of section 9 of the Classification Act, any action taken under the foregoing rules for salary reductions, demotions, or dismissals on account of inefficiency, will require the prior approval of the Civil Service Commission. Hence all salary reductions, demotions, and dismissals required under these rules will be reported to the Civil Service Commission for consideration, with the Department's recommendation, and further action deferred until the Commission's approval is formally given.

(6) The Civil Service Commission will inquire into each case of proposed salary reduction, demotion, or dismissal on account of inefficiency to determine whether or not the efficiency rating has been made in accordance with the plan and procedure set forth in this paragraph. In connection with this inquiry the employees will be given opportunity to present such information as may be pertinent thereto.

(7) The Civil Service Commission will formally act on each case presented and inform the Department of its action.

(8) The Commission believes that the Department should notify the employee of its anticipated action at least thirty (30) days in advance of the proposed date of salary reduction, demotion, or dismissal from the service. (219)

2412. Vacancies to be Filled by Promotion Wherever Possible. As a general policy, vacancies in positions will be filled by the promotion of employees of lower grade if they are available and have qualifications equal to persons not in the service. Promotion of an employee to a position for which he has not previously qualified through an examination requires the prior approval of the Civil Service Commission.

It is the policy of the Department to recognize conspicuous accomlishment by appropriate increases in compensation, and the need is emphasized for rigid adherence to a promotion program which excludes from consideration all factors other than constructive and effective service.

Reprinted without change 6-24-43
(See Amendment 166)

ANNUAL AND SICK LEAVE

2511. Leave - Annual and Sick. All officers and employees of the Department will be governed with respect to annual and sick leave by Personnel Circular No. 107 and any supplements thereto issued from time to time by the Director of Personnel.

DEPARTMENT OF AGRICULTURE

WASHINGTON

March 26, 1941

AMENDMENT TO THE REGULATIONS

Amendment No. 119

A consolidation of Department Regulations 2512, 2521, and 2522 with Regulation 2511, the title of which has been changed to "Leave - Annual and Sick," appears on the reverse of this page.

The revised Regulation consists of a cross reference to Personnel Circular No. 107 which includes detailed instructions on sick and annual leave revised in accordance with Executive Orders Nos. 8384 and 8385 issued pursuant to the Act of March 2, 1940, and with decisions of the Comptroller General. These instructions are not repeated in the Regulation book because of their length and the fact that they are subject to constant change as new interpretations are issued.

This amendment is issued effective immediately, superseding Amendments Nos. 66, 67, 68, 69, 78, and 79.

The following changes should be made in the Table of Contents and in the Index:

Table of Contents

Changes: 2511 to "Leave - Annual and Sick"

Deletions:

2512. Annual, for Employees Assigned to Duty Outside the Continental Limits of the United States
2521. Sick, for Employees Assigned to Duty Within the Continental Limits of the United States
2522. Sick, for Employees Assigned to Duty Outside the Continental Limits of the United States

Index

Changes: Sick leave from "2521" and "2522" to "2511"

Deletions:

Paul H. Appleby

Under Secretary.

2531. Witnesses. Employees who attend court or appear before United States Commissioners as witnesses for the Federal Government are entitled to their regular pay during the time they are away from their regular duties on account of said appearance without having the absence charged to their annual leave. Evidence of attendance at court will be required. Employees who attend court as witnesses in cases where the employee's testimony has no official character shall do so while on leave with pay, or if such leave has been exhausted, leave without pay. Witnesses for the District of Columbia are not considered witnesses for the Government.

2532. Leave Allowed for Jury Service. An employee who attends Federal, State, or municipal court as a juror is entitled to his regular pay during the time he is away from his regular duties on account of such jury service, without having the absence charged to annual leave. He may be granted leave of absence with pay for the entire period from the date on which he is required to report to the court as stated in the summons, to the time he is discharged by the court, regardless of the number of hours per day or days per week he actually served on the jury during the period. However, if he is summoned for jury duty for an extended term and is excused or discharged by the court during such term for an indefinite period subject to call by the court or for a definite period in excess of one day, the "term" of jury service for which leave of absence with pay may be granted is regarded as having been curtailed or reduced by the court to the extent of the days for which the court has excused or discharged him from jury service, and for such days, court or jury leave of absence with pay is not authorized.

Evidence of attendance at court as a juror will be required.

Employees shall receive no compensation for jury service in any court of the United States or of the District of Columbia. The pay that an employee may receive for jury service in any State or municipal court shall be charged against or deducted from his regular pay from the United States. (See also Regulation 1523.)

DEPARTMENT OF AGRICULTURE

WASHINGTON

January 19, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 10

There appears on the reverse side of this sheet an amendment to paragraph 2532, entitled "Leave Allowed for Jury Service," which is added to the Regulations of this Department, effective immediately.

All copies of the Regulations should be modified accordingly.

Inasmuch as this subject has been included in the Index no additions to that section are required but it is necessary to change the title to this paragraph in the Table of Contents.

M. L. Wilson

Acting Secretary.

November 4, 1940

AMENDMENT TO THE REGULATIONS

Amendment No. 107

There appears on the reverse side of this page a revision of Regulation 2532 entitled "Leave Allowed for Jury Service" which is promulgated effective as of June 29, 1940.

The purpose of this revision is to comply with the act of June 29, 1940, providing leave with pay to employees of the Department who are called upon for jury service in any State court or court of the United States.

This revision requires no change in the Table of Contents or in the Index.

Paul H. Appleby

Acting Secretary.

2541. Compensatory Leave. There is no authority of law, except as mentioned below, to grant leave with pay in excess of the maximum annual leave with pay permissible under the statutes, to compensate employees for overtime work.

Compensatory time for work required by a responsible administrative officer on Saturday afternoon shall, however, be granted by the shortening of another work day. Compensatory time shall be granted at the earliest practicable date, preferably within the week following that in which earned, but at such time as is not inconsistent with official business. (22) The compensatory time allowed for excess service on Saturday shall not exceed the difference between four hours and the normal work day (seven or eight hours.) (See Regulation 2211 and 10 C.G. 464). Compensatory time cannot be utilized to cover absence for a full working day, however, whether Saturday or other day. (11 C.G. 159)

A written record shall be kept of all required work on Saturday for which compensatory leave may be granted, comprising the name of the employee, the date, and the amount of time in hours and fractions thereof accruing under the above provisions; and when equivalent time has been taken, the record shall be completed by an entry showing the date and time of beginning and ending of the equivalent period.

DEPARTMENT OF AGRICULTURE

WASHINGTON

March 13, 1940

AMENDMENT TO THE REGULATIONS

Amendment No. 97

A revision of Regulation 2541 "Compensatory Leave Which May Be Granted" appears on the reverse side of this sheet.

The Regulation, as revised, requires a record to be kept of overtime on Saturdays and also of compensatory time granted. The word "may" in the body of the Regulation has been changed to "shall" in order to conform more closely to the wording of the Act of March 3, 1931, 46 Stat. 1482, on which it is based. The title has been changed to "Compensatory Leave".

The revised Regulation is promulgated effective immediately.

The following changes should be made in the Table of Contents and in the Index:

Table of Contents:

Change: 2541. Compensatory Leave Which May Be Granted
To: 2541. Compensatory Leave

Index:

Add: Leave, compensatory - - - - - - - - - - - 2541
Overtime, record of - - - - - - - - - - - - 2541

Change: Compensatory leave prohibited - - - - - 2541
To: Compensatory leave - - - - - - - - - - 2541
Change: Overtime, compensatory leave for, prohibited - - - - - - - - - - - 2541
To: Overtime, compensatory leave for - - - - 2541
Change: Leave for overtime prohibited - - - - - 2541
To: Leave for overtime - - - - - - - - - - 2541

Grover B. Hill

Acting Secretary.

MILITARY LEAVE

2551. General Conditions. Military leave may be granted only to permanent employees and shall be without loss of time, pay, or efficiency rating. Temporary employees are not entitled to leave of absence with pay.

2552. Members of District of Columbia National Guard. Members of the National Guard of the District of Columbia may be granted military leave on all days of service which they may be ordered to perform by the commanding general without limit as to the number of days. (1764)

2553. National Guard Outside the District of Columbia. Members of the National Guard outside the District of Columbia (whether employed at Washington, D. C., or elsewhere) may be granted military leave on all days without limit during which they shall be engaged in field or coast-defense training ordered or authorized under the provisions of the National Defense Act of June 3, 1916, but not including other duty under orders of the governor of a State. (1764)

2554. Naval Reserve and Marine Corps Reserve. Members of the Naval Reserve (Fleet Reserve, Organized Reserve, Merchant Marine Reserve, and Volunteer Reserve) and the Marine Corps Reserve, whether of the District of Columbia, or otherwise, and wherever employed, may be granted military leave with pay for periods not to exceed 15 days in any one calendar year, Sundays and holidays included, whenever they engage in training duty ordered or authorized by competent authority. Members of the Naval Reserve who have exhausted military leave and take regular annual leave to cover military duty in excess of 15 days may receive both Department salary and Naval Reserve pay and allowances for the additional period, irrespective of the aggregate amount. However, at any time after July 1, 1936, such members of the Naval Reserve may prior to the exhaustion of accumulated and current accrued annual leave be granted leave without pay during such period in excess of 15 days. (1767)

2555. Officers' Reserve Corps. Members of the Officers' Reserve Corps (whether employed in the District of Columbia or elsewhere) may be granted military leave on all days during which they shall be ordered to duty with troops or at field exercises, or for instruction, for periods not to exceed 15 days, Sundays and holidays included, in any one calendar year.

An employee of the Department who is also a member of Officers' Reserve Corps may receive, for the period of military leave described above, the salary of his office or position, regardless of the rate thereof, and the pay and allowances of his grade as an officer of the Officers' Reserve Corps, while performing service ordered under the provisions of section 39 of the National Defense Act of June 3, 1916.

Members of the Officers' Reserve Corps who have exhausted military leave, may take annual leave to cover military duty in excess of 15 days if the compensation from both sources does not exceed the annual rate of $2,000 in the aggregate. However, at any time after July 1, 1936, such officer may prior to the exhaustion of his accumulated and current accrued annual leave be granted leave without pay during such period in excess of 15 days.(632)

2556. Officers' Certificate. Application for military leave must be supported by the certificate of a competent officer of the military or naval organization of which the employee is a member.

DEPARTMENT OF AGRICULTURE

WASHINGTON

August 5, 1940.

AMENDMENT TO THE REGULATIONS

Amendment No. 103

The revisions of Regulations 2554 "Naval Reserve and Marine Corps Reserve" and 2555 "Officers' Reserve Corps" which appear on the reverse side of this sheet are promulgated effective immediately.

The title of Regulation 2554 has been changed; references to "Naval Militia" have been omitted; and the definition of "Naval Reserve" has been corrected to agree with the Act of June 25, 1938 (52 Stat. 1175).

The third paragraph of Regulation 2555 has been changed in accordance with the Revised Leave Regulations, issued March 29, 1940.

The following changes should be made in the Table of Contents and in the Index:

Table of Contents

Under "Military Leave", Regulation 2554, change title to "Naval Reserve and Marine Corps Reserve" from "Naval Militia and the Naval Reserve."

Index

Deletions:

Under "Naval" delete "Militia, military leave for - - 2554"

Changes:

Change "Fleet Naval Reserve" to "Fleet Reserve"

Insertions:

Add "Organized Reserve, military leave for - - - - - 2554"
Add "Merchant Marine Reserve, military leave for - - 2554"
Add "Volunteer Reserve, military leave for - - - - - 2554"

Under "Leave for military service- - - 2551", add "2552-7"
Under "Military, leave of absence- - - 2551", add "2552-7"
Under "Annual leave of absence - - - - 2511, 2512", add "2554, 2555"
Under "Compensation, additional, when permissible - - 3214", add "2554, 2555"
Under "Additional compensation, when permissible - - 3214", and "2554, 2555"

Claude R. Wickard

Acting Secretary.

2557. Special Leave of Absence of Veterans Receiving Medical Treatment. Upon the presentation of an official statement from duly constituted medical authority that medical treatment is required, such annual or sick leave as may be permitted by law and such leave without pay as may be necessary shall be granted by the supervisory officer to a disabled veteran in order that the veteran may receive such treatment, all without penalty in his efficiency rating. The granting of such leave is contingent upon the veteran's giving prior notice of definite days and hours of absence required for medical treatment. The term "duly constituted medical authority" includes any properly licensed medical practitioner as well as officers of Federal Hospitals. The distinguishing feature of the veterans' medical treatment leave is that the grant is obligatory provided the prescribed conditions are met.

USDA. Office of Dir of Personnel. See also Memorandum no. P-43. re probationers.

2561 Without Pay.- (1) Chiefs of bureaus, or authorized chiefs of field stations, may approve applications for periods not exceeding 30 days in any calendar year, and for further non-consecutive periods of not more than 6 days not to exceed 30 additional days in the aggregate. Where leave beyond such bureau authorization is applied for, or when it is desired to furlough or suspend an employee for any length of time because of lack of funds, lack of work, discipline, or charge, the chief of bureau will forward to the director of personnel, a regular recommendation with respect thereto, stating the reason for the absence, and such other information as should be considered. In the case of leave without pay, the leave application will not accompany such recommendation. Annual and sick leave are not earned while an employee is on leave without pay if the duration of such non-pay status in any calendar year aggregates 30 days or more. When the duration of such non-pay status is in excess of 30 days in any calendar year, such excess shall affect the accrual of annual and sick leave only when it aggregates 10 days, and likewise for each aggregate period of 10 days thereafter.

(2) Annual and sick leave shall not accrue during any period of suspension for disciplinary reasons.

(3) Leave without pay shall not be granted until all allowable accumulated and current accrued leave with pay is exhausted, except that employees injured in line of duty may take leave without pay, if desired, covering their absence due to such injury instead of covering such time by annual leave. (See subparagraph (12) of regulation 2511).

(4) Leave without pay should not be taken until the applicant has been advised of its approval, except in cases of emergency, the nature of which should be stated clearly on the margin of the application. An employee who returns to duty prior to the expiration of granted leave without pay is not entitled to pay for any day prior to that on which he actually reports for duty. Absence of employees in excess of the legal allowance of leave with pay must be covered by an application for leave of absence without pay.

(5) Leave without pay shall be charged for the actual time an employee is absent, except that 15 minutes shall be the minimum charge, and additional time shall be charged in like multiples. Leave of absence without pay for the full four hours constituting a day's work on Saturday will be charged as a full day (whether 7 or 8 hours). Leave without pay for fractions of a day on Saturday will be charged as follows: Where the employee reports for duty after the opening hour and remains until the closing hour, time will be charged and deductions made on the basis of a four-hour day, each quarter-hour being counted one-sixteenth of a day. Where the employee reports for duty at the opening hour, but leaves before the closing hour, he should be given no benefit of the shorter day, pay for the portion of the day worked to be computed on the basis of a regular working day. That is, where the employee is absent the last hour he will be paid for three-sevenths or three-eighths of a day, as the case may be, and will be charged and deductions made for four-sevenths or five-eighths of a day.

(6) Compensation may be paid to an employee for Sundays and holidays occurring between the termination of a definite period of leave of absence without pay administratively granted in ad-

DEPARTMENT OF AGRICULTURE

WASHINGTON

August 6, 1938

AMENDMENT TO THE REGULATIONS

Amendment No. 65.

There appears on the reverse side of this sheet an amendment to the Regulations of the Department, entitled 2561 - "Leave Without Pay" and 2562 - "Absence Without Permission," which is hereby promulgated, effective immediately.

Revision of regulation 2561 was made necessary by the Presidential regulations on leave as contained in Executive Orders No. 7409 and No. 7410, of July 9, 1936, and as continued by Executive Orders No. 7845 and No. 7846, of March 21, 1938.

Revision of regulation 2562 has been made in order to substitute the Director of Personnel for the Secretary as the official to whom recommendations for leave without pay - because of absence without permission not satisfactorily explained - should be made.

No change in the Table of Contents or the Index is made necessary by this revision.

H A Wallace

Secretary.

Supplanted by A.M.S. admin memo 178.

vance and the actual return of the employee to duty at the beginning of the duty day next following the expiration of such definite period.

(7) Leave without pay may be converted into annual leave where an employee is in a period of absence in a non-pay status at the end of a calendar year, who subsequently returns to duty, at which time annual leave for that part of the leave without pay occurring in the new calendar year may be retroactively granted within the limits of the current annual leave to which the employee is entitled. Leave without pay under any other circumstances shall not thereafter be converted into sick or annual leave subsequently accumulating.

(8) Leave of absence without pay to take advanced training or carry on graduate work in recognized educational institutions will be granted whenever advantageous to the service. Arrangements for such leave should ordinarily be made some time in advance. Applications must indicate the name of the institution the employee desires to attend and the course or courses to be pursued, and must bear the approval of the chief of bureau concerned, who shall certify that the employee can be spared for the time required without detriment to the public service.

(9) Ordinarily furlough or leave without pay will not be granted employees to engage in private or commercial work. However, the Secretary will consider applications for furlough or leave without pay from employees who wish to engage in outside undertakings. Such applications must indicate clearly the activity in which the employee proposes to engage and must bear the approval of the chief of bureau concerned, who shall certify that the employee can be spared for the time required without detriment to the public service. (26)

2562. Absence Without Permission.- An employee who absents himself from duty without prior permission shall be required to submit an explanation to his immediate superior at the earliest practicable moment, setting forth the reason for the absence and for the failure to obtain permission for such absence. If the explanation is not satisfactory the bureau shall recommend to the Director of Personnel that the employee be placed on leave without pay for the period of absence and such other disciplinary action as may be deemed warranted. (82)

REINSTATEMENTS

2611. Persons Eligible to Reinstatement.- A person who received a permanent appointment and who is separated without delinquency or misconduct from a competitive position is eligible for reinstatement, upon certificate of the Civil Service Commission, subject to the following limitations:

(1) within one year from the date of separation if service has been one year but less than two years; (2) within two years where service has been two years but less than three years; (3) within three years where service has been three years but less than four years; (4) within four years where service has been four years but less than five years; (5) without time limit where service has been five years or more. Recommendations for reinstatement must be accompanied by medical certificate, executed by a Government doctor, fingerprint chart and marital status affidavit. If a person has been out of the service more than five years, Civil Service Form 375 is required to indicate what the person has been doing since he left the Government service. The Civil Service Commission may require an appropriate noncompetitive examination. This will be necessary in any event if the person is proposed for reinstatement to a position different from that for which he had previously qualified. An employee involuntarily separated during or at the end of probation, without fault on his part, may be reinstated to serve a new probation in any part of the service, in any position for which he has qualified or can qualify in an appropriate noncompetitive examination, subject to the provisions of the civil service rules.

A person separated without delinquency or misconduct from an unclassified position, may be reinstated to a similar position under any department, subject to physical examination and fingerprinting, and to the following limitations: (1) request for reinstatement must be made within one year from the date of separation where service has

been one year but less than two; (2) within two years where the service has been one year but less than three; (3) within three years where service has been three years but less than four; (4) four years where service has been four years but less than five; (5) five years where service has been five years or more.

Persons entitled to military preference are eligible for reinstatement without time limit when in the opinion of the Civil Service Commission the interests of the public service require such action.

Former employees of the Federal Government shall not be reinstated or reappointed to any position for which they would receive any salary, pay, or remuneration whatsoever so long as such persons are in receipt of retirement or disability compensation, or, if they have been paid a lump sum in commutation of installment payments, until the expiration of the period during which such installment payments would have continued. (257)

TRANSFER OF PERSONNEL

2711. Authorization for Transfers. Transfers involving a change in civil service status can be made only upon authority of the Civil Service Commission. Transfers of employees from the nonapportioned to the apportioned service require the prior approval of the Civil Service Commission even if there is no change in civil service status. A transfer from one bureau to another bureau within the Department requires the concurrence of the chief of the bureau from which transfer is being made.

2712. Details of Employees. It is the intent of the governing laws and the policy of the Department that details shall be made only for relatively short periods in order to relieve situations where a shortage of personnel or an exceptional volume of work is delaying the public business, where a particular unit or agency has a temporary need for the services of personnel especially qualified to do a particular job, or under other circumstances where it is administratively determined to be in the interest of the government so to do. Such details may be made, as prescribed by the Director of Personnel, as accommodations or on a reimbursable basis, pursuant to Section 601 of the Economy Act, approved June 30, 1932, and other pertinent laws.

Details of employees of the Department to other American republics, the Philippines, or Liberia, are authorized to be made by the President by the Act of May 3, 1939.

All details of employees shall be made in accordance with Personnel Circular No. 112 and any revisions or supplements thereto which may be issued by the Director of Personnel.

WASHINGTON

AMENDMENT TO THE REGULATIONS

Amendment No. 132 September 11, 1941

There appears on the reverse of this page a revision of Department Regulation 2712, the title of which has been changed to "Details of Employees," which is promulgated effective immediately.

The revised Regulation provides for details of employees in accordance with rules and procedures prescribed in Personnel Circular No. 112 and any revisions or supplements thereto which may be issued by the Director of Personnel.

The following changes should be made in the Table of Contents and in the Index:

Table of Contents

Change 2712 to "Details of Employees"

Index

Deletions:

Detail, of personnel - 2712
Personnel, details - 2712

Additions:

Details of employees - 2712
Employees, details of - 2712

Grover B. Hill
Acting Secretary

AMENDMENT TO THE REGULATIONS

Amendment No. 133 September 5, 1941

On the reverse side of this page appears a revision of Regulation 2711, entitled "Authorization for Transfers," which is promulgated effective immediately.

Provisions in the present Regulation which are now obsolete have been omitted in the revised Regulation.

No changes in the Table of Contents or in the Index will be necessary.

Grover B. Hill
Acting Secretary

SEPARATIONS

2811. Removal or Reduction.- No person in the classified civil service in the Department shall be removed therefrom except for such cause as will promote the efficiency of said service and for reasons given in writing and the person whose removal is sought shall have notice of the same and of any charges preferred against him, and be furnished with a copy thereof, and also be allowed a reasonable time for personally answering the same in writing; and affidavits in support thereof; but no examination of witnesses nor any trial or hearing shall be required except in the discretion of the Secretary; and copies of charges, notice of hearing, answer, reasons for removal, and of the order of removal shall be made a part of the records of the office of the Secretary as shall also the reasons for reduction in rank or compensation; and copies of the same shall be furnished to the person affected upon request, and the Civil Service Commission also shall, upon request, be furnished copies of same.

An employee serving under probationary appointment may, after full and fair trial, be separated from the service at any time during or at the expiration of the probationary period without further formality than written notification setting forth the reasons in full, if the conduct or capacity of the employee be not satisfactory. A full statement of reasons for the separation of a probationer shall be given in the bureau's recommendation, which must be approved in advance by the Secretary before the effective date and also during the period of probation.

2812. Reduction in Force.- Removals or reductions due to lack of work, insufficient funds or otherwise should be made in the following order: (1) temporary employees; (2) employees who fail to attain a classified status under Section 6 of Civil Service Rule II and are retained in the service in status quo; (3) probational employees and (4) permanent employees. Seasonal, indefinite and emergency employees are considered only in connection with other employees in the same classification.

In making dismissals in the departmental service, separation registers must first be established based on the employees' efficiency ratings, veteran's preference, length of service (civil and military) and official conduct. An employee entitled to veteran's preference, in order to receive preferential consideration, must have an efficiency rating of Good or better; otherwise he will compete with employees not entitled to preference.

No employee entitled to veteran's preference shall be dismissed or reduced in rank or salary prior to an employee without this preference who is in competition with him if his separation rating is equal to that of the employee not entitled to preference.

If the position held by an employee entitled to veteran's preference is abolished and there is no like position to which he can be transferred, a government establishment is not required to remove an employee not entitled to preference merely for the purpose of retaining the veteran.

Dismissals shall be made in order, beginning with the employee having the lowest separation rating in each class to be reduced, except that an employee with a higher rating may be demoted or separated in preference to another with a lower rating

DEPARTMENT OF AGRICULTURE

WASHINGTON

July 28, 1938

AMENDMENT TO THE REGULATIONS

Amendment No. 64.

There appears on the reverse side of this sheet an addition to the Regulations of the Department, designated "2812 - Reduction in Force," which is promulgated effective immediately. The purpose of this regulation is to provide a procedure to be followed in selecting employees to be separated from the service when reduction in force, occasioned by lack of work, insufficient funds or otherwise, are contemplated.

Inasmuch as the title is included in the Index and Table of Contents no change in same is necessary.

Harry L. Brown
Acting Secretary.

if the duties of the position to be retained cannot be acceptably performed by the employee with the higher rating after a reasonable preliminary training period.

No classified competitive employee shall be demoted or separated on account of reduction in force until prior approval for such action is received by the Department from the Civil Service Commission.

Except as noted in the preceding paragraph this procedure is equally applicable to non-civil service employees, as well as civil service employees.

Wherever possible in the field service, it would be advisable to have separation registers based on veteran's preference, efficiency ratings, if any, length of service (civil and military) and official conduct. Separation registers for the field service should be prepared according to operating units.

The veteran's preference provisions of the law must be adhered to in the field service regardless of whether or not efficiency ratings are maintained. (39)

2813. Abandonment of Position.- When an employee has been absent for more than fifteen days without permission and the bureau has been unable to get into communication with him, he will without a showing from him, be considered to have abandoned his position and his appointment shall be terminated with or without prejudice depending upon the circumstances. Every recommendation for such termination of appointment must show what effort the bureau has made to communicate with the employee.

RETIREMENT

2821. Civil Service Retirement Act.

1. Employees Affected in the Department of Agriculture. All employees in the classified Civil Service, employees of the Solicitor's Office, and unclassified employees appointed under labor regulations approved by the President, whose tenure of employment is not intermittent nor of uncertain duration are subject to the provisions of the Act.

2. Age and Service Requirements for Annuities. Such employees, after having rendered 15 years' service and upon reaching the retirement age of 62, 65, or 70 years, depending upon the nature of their occupations, shall be separated from the service with an annuity, except that the President may, by executive order, continue the services of an employee beyond retirement age, if the public interests so require.

An employee upon reaching retirement age and lacking 15 years' service to make him eligible to receive an annuity, may automatically be continued in the service regardless of his age until he has rendered full 15 years' service but he must then be separated under the provisions of the Retirement Act.

An employee is eligible for voluntary retirement at 60, 63, or 68 years of age in his respective age group after having rendered full 30 years' service.

An employee who is 45 years of age or over, and who is involuntarily separated from the service not by removal for cause on charges of misconduct or delinquency after having served for a total period of not less than 15 years and before becoming eligible for retirement is eligible to apply for a deferred annuity or upon reaching the age of 55 to elect to receive an immediate annuity.

3. Disability Retirement. Employees are eligible to apply for disability retirement at any time after having rendered 5 years' service.

2822. Civil Service Retirement and Disability Fund.

1. Deposits

a. From basic salary. From August 1, 1920, to June 30, 1926, 2½ per cent was withheld from the basic salary pay or compensation of each employee to whom this Act applies, and 3½ per cent since July 1, 1926. The amounts withheld are deposited in the Treasury of the United States to the credit of the Civil Service Retirement and Disability Fund. An individual account of these deductions shall be maintained for each employee. All deductions, less one dollar per month or major fraction thereof, subsequent to July 1, 1930, for tontine, shall be credited to such individual account.

b. For temporary service. Credit can be obtained for temporary service rendered subsequent to July 31, 1920, by employees within the purview of the Retirement Act, upon deposit of the amount that would ordinarily have been withheld, together with the interest involved. Failure to make such deposit shall not, however, deprive the employee of credit for service rendered prior to August 1, 1920, to which he or she would otherwise be entitled.

c. Of additional sums. Under the Act of August 4, 1939, C.426 § 4 (53 Stat. 1202), any employee may at his option and under regulations prescribed by the Civil Service Commission deposit additional sums in multiples of $25, but not to exceed 10 per cent per annum of his annual basic salary, pay, or compensation for service rendered since August 1, 1920. This amount with interest at 3 per cent per annum compounded as of

DEPARTMENT OF AGRICULTURE

WASHINGTON

July 5, 1940

AMENDMENT TO THE REGULATIONS

Amendment No. 102

An amendment dividing Regulation 2821 "Procedure" into two Regulations designated "2821. Civil Service Retirement Act" and "2822. Civil Service Retirement and Disability Fund" appears on the reverse side of this sheet and is promulgated effective immediately.

The following changes have been made in the substance of the Regulation:

1. Paragraph 3 requiring chiefs of bureaus to report the employees eligible for retirement has been deleted as this report will no longer be required.

2. A statement regarding the voluntary deposit of additional sums has been inserted.

The changes to be made in the Table of Contents and Index are listed below:

Table of Contents:

Changes: 2821. from "Procedure" to "Civil Service Retirement Act"

Additions: 2822. Civil Service Retirement and Disability Fund.

Index:

Additions:

Civil Service Retirement Act - - - - - - - - - - -	2821
Civil Service Retirement and Disability Fund - -	2822
Deductions, retirement - - - - - - - - - - - - -	2822
Employees, retirement of - - - - - - - - - - - -	2822
Funds, retirement deduction - - - - - - - - - -	2822
Retirement of employees - - - - - - - - - - - -	2822

Deletions:

Deductions, retirement - - - - - - - - - - - - - - -	2821
Reports, employees to be retired - - - - - - - - -	2821

Grover B. Hill

Acting Secretary.

June 30, will at the date of his retirement, be available to purchase an additional annuity in accordance with rules and regulations prescribed by the Civil Service Commission, with the approval of the Board of Actuaries.

2. Withdrawals and Refunds. Any employee to whom this Act applies and who, by reason of transfer to a position not within the purview of the Act or by absolute separation from the service before becoming eligible for retirement, may withdraw the amount standing to his credit in his individual account plus 4 per cent interest compounded as of June 30 of each year, and minus $1 for each month subsequent to July 1, 1930, for the tontine fund. Tontine deductions will not be made if the employee is involuntarily separated from the service, not by removal for cause on charges of misconduct or delinquency.

An employee who has received a refund for retirement deductions and who, at some later date, is again within the provisions of the Retirement Act, must redeposit the amount refunded plus interest, in order to be eligible to receive annuities.

3. Beneficiaries. An employee to whom the Retirement Act applies may, under regulations prescribed by the Civil Service Commission, designate a beneficiary or beneficiaries to whom any sum standing to his credit in the retirement fund shall be paid at the time of his death.

In case an employee should die before retiring or without having established a valid claim for annuity, the total amount of his deductions will be paid to legal representatives. (49, 50, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 242, 243, 244, 245, 246, 251, 253, 254, 256)

INVESTIGATIONS

2911. Periodical Investigation of Field Offices and Stations.- The division of investigations, office of personnel, is authorized to make periodical investigations of field offices and stations of the Department. All employees will cooperate with the investigators to the extent of giving such information as may be requested, of permitting free access to books, records, and other documents, and of refraining from making any attempt to interfere with an investigation.

2912. Misconduct, Neglect of Duty, or Irregularities.- Each bureau chief shall issue such instructions to subordinate officials as will insure the reporting to him of alleged misconduct, neglect of duty, or irregularities on the part of employees. Such cases as have not been investigated by field officials shall be investigated promptly by the bureau concerned or referred to the director of personnel, accompanied with all correspondence and documents pertaining thereto, with a request that an investigation be conducted by the division of investigations.

2913. Submission of Investigative Reports.- If the investigation is conducted by the bureau or its field officials, the report and supporting documents shall be forwarded promptly to the director of personnel, with a recommendation for whatever disciplinary action is believed to be warranted by the facts. If the case involves fiscal irregularities, the report shall be submitted in triplicate, one copy for the director of finance, one for the director of personnel, and one for the General Accounting Office. Each copy of the report shall be accompanied with a statement containing specific information as to the action the bureau has taken or intends to take to effect recoveries, to correct the situation, and to prevent similar irregularities in the future.

If the investigation is conducted by the division of investigations, the report and supporting documents will be referred to the chief of bureau concerned for consideration and appropriate action and recommendations. Where the report reveals fiscal irregularities, the bureau chief concerned shall, within 30 days following receipt of the report, follow the procedure set forth in the preceding paragraph with respect to submitting recommendations for disciplinary action and triplicate statements of other actions the bureau has taken or intends to take with respect to fiscal irregularities.

2914. Distribution and Use of Reports.- Reports of personnel and other confidential investigations, and supporting documents, shall not be furnished to persons outside the Department except with the written permission of the Secretary. Reports of investigations conducted by the division of investigations will be furnished to the chief of bureau concerned for the confidential use of appropriate administrative officials in Washington. Such reports must be considered as confidential and privileged communications, and copies thereof shall not be made. These reports and collateral papers shall not be sent to field officials without prior approval by the director of personnel. If additional information is desired from field officials, they may be advised by letter or orally of information contained in a report, but the identity of informants or witnesses shall not be given.

DEPARTMENT OF AGRICULTURE
WASHINGTON

December 19, 1938.

AMENDMENT TO THE REGULATIONS

Amendment No. 80

There appears on the reverse side of this and subsequent sheets, a revision of regulation 2911, entitled "Periodical Inspection of Field Offices and Stations", and additions to the Regulations of the Department which have been designated as regulations 2912, 2913, and 2914, and entitled "Misconduct, Neglect of Duty, or Irregularities"; "Submission of Investigative Reports"; and "Distribution and Use of Reports", respectively. This revision and these additions appear desirable from a departmental standpoint in that all matters pertaining to "Investigations" have been grouped under that heading.

Regulation 2911 as originally drafted was promulgated by Amendment No. 32, dated August 2, 1937, and regulations 2921 and 2922 as they were first written were promulgated by Amendments numbered 33 and 34, both dated August 2, 1937. Regulation 2923 was promulgated by Amendment No. 35, dated August 2, 1937. This latter regulation should be removed from the Regulations of the Department as it has been renumbered 2922.

Both this revision of and these additions to the Regulations of the Department are promulgated effective immediately.

The following changes and additions should be made in the Table of Contents and in the Index:

Table of Contents:

Change "2911. Periodical Inspection of Field Offices and Stations"
To "2911. Periodical Investigation of Field Offices and Stations"

Add: "2912. Misconduct, Neglect of Duty, or Irregularities"
"2913. Submission of Investigative Reports"
"2914. Distribution and Use of Reports"

Delete: "2921. Misconduct, Neglect of Duty, or Irregularities"
"2922. Distribution and Use of Reports"

Index:

Change "Field stations, inspection of - - - - - - - - - - 2911"
To "Field stations, investigation of- - - - - - - - - 2911"

Change "Inspection of field stations- - - - - - - - - - - 2911"
To "Investigation of field stations - - - - - - - - - 2911"

Change "Investigations, misconduct, neglect of duty, irregularities - - - - - - - - - - - - - - 2921"
To "Investigations, misconduct, neglect of duty, irregularities - - - - - - - - - - - - - - 2912"

Change "Irregularities, investigation and report of- 2921"

To "Irregularities, investigation and report of- 2912"

The contents of reports may be discussed with properly identified representatives of other Government agencies upon assurance that the information is desired for official purposes and will be treated confidentially.

When it is necessary to transmit reports to other Government agencies, letters of transmittal will be signed by the Secretary, except in the case of the Attorney General, when letters of transmittal will be signed by the Solicitor.

Change "Misconduct, investigation and report of - - - - 2921"
To "Misconduct, investigation and report of - - - - 2912"

Change "Neglect of duty, investigation and report of- 2921"
to "Neglect of duty, investigation and report of- 2912"

Change "Reports, misconduct, neglect of duty, irregularities- - - - - - - - - - - - - - - - - -2921"
To "Reports, misconduct, neglect of duty, irregularities - - - - - - - - - - - - - - - - - 2912"

Change "Inspectors, report of, field offices and stations - - - - - - - - - - - - - - - - - - 2911"
To "Investigators, report of, field offices and stations - - - - - - - - - - - - - - - - - - 2913"

Change "Report of inspectors, field offices and stations - 2911"
To "Report of investigators, field offices and stations - - - - - - - - - - - - - - - - - - 2913"

Change "Distribution and use of reports, confidential- 2922"
To "Distribution and use of reports, confidential- 2914"

Change "Distribution and use of reports, personnel - 2922"
To "Distribution and use of reports, personnel - 2914"

Change "Letters, transmitting reports on personnel to others except Attorney General - - - 2922"
To "Letters, transmitting reports on personnel to others except Attorney General - - - 2914"

Change "Personnel, distribution and use of reports on - 2922"
To "Personnel, distribution and use of reports on - 2914"

Change "Reports, on personnel, discussion with or transmittal to other Government agencies - - - 2922"
To "Reports, on personnel, discussion with or transmittal to other Government agencies - - - 2914"

Change "Secretary, letters transmitting reports on personnel to other Government agencies, except Attorney General, for signature of- - - 2922"
To "Secretary, letters transmitting reports on personnel to other Government agencies, except Attorney General, for signature of- - - 2914"

Add: "Investigative reports, submission of - - - - - 2913"
"Reports, investigative - - - - - - - - - - - - - - 2913"
"Submission of investigative reports - - - - - - 2913"

The attached sheet should be inserted in the appropriate place in the Table of Contents, and the one now appearing therein should be removed.

H A Wallace

Secretary.

DISCIPLINARY ACTION

2921. Procedure in Disciplinary Actions. Each case involving misconduct, neglect of duty, or fiscal irregularities will be submitted to the Director of Personnel, except as otherwise provided in Secretary's Memorandum No. 603, Revised, with a recommendation for appropriate disciplinary action.

If it is determined by the Director of Personnel that disciplinary action may be limited to a bureau letter of reprimand, a copy of such letter shall be forwarded to the Director of Personnel for inclusion in the employee's service record in the Office of Personnel.

If the facts in the case warrant the preferment of charges or disciplinary action other than a bureau letter of reprimand, the necessary papers will be prepared and issued by the Director of Personnel and transmitted to the employee in question through the chief of bureau concerned. When charges have been preferred against an employee and an answer has been received, and in cases where the employee fails to submit an answer within the time limit stipulated in the letter of charges, the entire file will be submitted to the chief of bureau concerned who will review it and make an appropriate recommendation to the Director of Personnel.

Whenever disciplinary action, other than removal from the service or acceptance of resignation, is taken, a record of such action shall be made in the bureau concerned for consideration in connection with possible subsequent disciplinary action for further misconduct.

2922. Suspension From Duty Without Pay. Pending investigation of charges against an employee or the consummation of proceedings for removal, an employee may be suspended from duty without pay for a period not to exceed ninety days. Recommendation to suspend an employee should reach the Director of Personnel for consideration prior to the effective date of the action. The recommendation must contain reasons sufficient to justify the suspension. An extension of suspension beyond ninety days requires the prior consent of the Civil Service Commission.

Authority to suspend an employee pending investigation of charges or the consummation of proceedings for removal, or as a disciplinary penalty, rests exclusively with the Secretary, acting through the Director of Personnel, except as delegated in Secretary's Memorandum No. 603, Revised. With this exception, suspension from duty without pay must not be imposed upon an employee without prior approval of the Director of Personnel.

DEPARTMENT OF AGRICULTURE

WASHINGTON

AMENDMENT TO THE REGULATIONS

Amendment No. 135 September 16, 1941

On the reverse side of this page appear revisions of Department Regulations 2921, entitled "Procedure in Disciplinary Actions," and 2922, entitled "Suspension From Duty Without Pay," which supersede Amendment No. 81, and are promulgated effective immediately.

The revised Regulations reflect the content of a memorandum from the Secretary to the Director of Personnel, dated September 2, 1939, delegating authority to the Director of Personnel with respect to certain disciplinary actions. Minor changes have been made in the wording and arrangement of the Regulations.

The following changes in the Table of Contents and in the Index should be made:

Table of Contents

Changes:

2921 from "Procedure"

to "Procedure in Disciplinary Actions"

2922 from "Suspension From Duty Without Pay During Investigation and for Other Reasons"

to "Suspension From Duty Without Pay"

Index

Deletions:

Secretary, reporting of cases involving misconduct, neglect of duty, or fiscal irregularities - - - - - 2921

Additions:

Director of Personnel, reporting of cases involving misconduct, neglect of duty, or fiscal irregularities - 2921

Personnel, Director of, reporting of cases involving misconduct, neglect of duty, or fiscal irregularities - 2921

Grover B. Hill

Acting Secretary

3. FISCAL REGULATIONS

1. Accounts and Disbursements
2. Employment
3. Purchases
4. Transportation

3111. Contacts with Comptroller General and General Accounting Office. To maintain uniform policy and complete records, all communications addressed to the Comptroller General shall be prepared for signature by the Secretary and shall be approved by the Solicitor and the Director of Finance before being submitted to the Secretary for signature; provided that, after March 31, 1942, nothing in these regulations shall abridge the right of certifying officers to apply direct for and obtain a decision by the Comptroller General on any question of law involved in a payment of any voucher presented to them for certification. The Director of Finance may require a report on or a copy of the communications between the certifying officers and the Comptroller General. (Public Law 389, 77th Congress, 1st Session, fixing responsibilities of certifying officers.)

Communications on routine matters addressed to chiefs of divisions of the General Accounting Office, including replies to their requests for routine information relative to claims, should be signed by the appropriate bureau official and sent direct. Administrative reports and other communications involving undelivered, lost, or canceled checks, or checks drawn to deceased persons, or to wrong persons, or drawn in wrong amounts, should be approved by a bureau official designated for the purpose by the Secretary and sent direct to the Claims Division, General Accounting Office. Administrative reports on all other claims, and all communications which may affect administrative reports on such other claims, must be prepared on Office of Budget and Finance stationery for signature by the Director of Finance.

Officials of the Department may confer with chiefs of divisions of the General Accounting Office regarding routine matters, but those desiring to consult with members of the staff of the Comptroller General (such as the Attorney Conferees, the General Counsel and his assistants, and the Chief of Investigations) on matters of policy or of major importance to the Department, shall confer with the Solicitor or the Director of Finance prior to making contact with the Office of the Comptroller General. (1645)

3112. Settlement of Accounts. Except as otherwise provided by law, every employee of the Department who receives public money which he is not authorized to retain as salary, pay, or emolument, shall render his accounts monthly. Such accounts, with the vouchers necessary to the correct and prompt settlement thereof, shall be sent to the Washington office of the bureau within ten days following the close of the month to which they pertain for examination after which they will be forwarded to the General Accounting Office for final settlement.

The General Accounting Office except when otherwise specifically provided by law has jurisdiction and authority, subject to appeal to the Congress, to determine the availability of appropriations for the support of the activities of the Government and to interpret laws relating to the execution thereof. (1640, 1647)

3113. Examination and Certification of Accounts. A careful examination shall be made in each bureau of all vouchers, pay rolls, and accounts prior to their certification for payment, which examination shall be assigned to auditors familiar with the laws and regulations, and the decisions of the Comptroller General, governing the obligation and disbursement of Government funds, and the collection of fees, disallowances, and other items due the United States.

Chiefs of bureaus are responsible for the establishment of adequate procedures to safeguard against illegal or erroneous certifications and payments, and for the execution of such measures as may be necessary to effect recovery of amounts illegally or erroneously paid. Chiefs of

DEPARTMENT OF AGRICULTURE

WASHINGTON

AMENDMENT TO THE REGULATIONS

Amendment No. 141 March 4, 1942

On the reverse side of this page appears a revision of Regulation 3111, entitled "Contacts with Comptroller General and General Accounting Office", which is promulgated effective immediately.

The first paragraph contains new material which is based upon Public Law 389, 77th Congress, 1st Session, (Responsibilities of Certifying Officers, Etc.) enacted December 29, 1941.

The revised Regulation also reflects the current procedure on claims for checks, provided in Secretary's Memorandum 958, dated December 12, 1941. In addition, the revised Regulation provides for direct submission to chiefs of divisions of the General Accounting Office, by appropriate bureau officials, of all communications on routine matters.

No changes in the Table of Contents will be necessary. The following additions, however, should be made in the Index:

Index

Additions:

Certifying Officers, application for decisions by Comptroller General - - - - - - - - - - - - - - - - - - 3111

Grover B. Hill

Assistant Secretary

ACCOUNTS

3111. Contacts with Comptroller General and General Accounting Office.- To maintain uniform policy and complete records, all communications addressed to the Comptroller General shall be prepared for signature by the Secretary and shall be approved by the solicitor and the director of finance before being submitted to the Secretary for signature.

Communications on routine matters addressed to chiefs of divisions of the General Accounting Office, other than the Claims Division, may be sent directly to them signed by the appropriate bureau official. Administrative reports on claims, and other information in regard thereto, required by the General Accounting Office, must be prepared on office of budget and finance stationery for signature by the director of finance.

Officials of the Department may confer with chiefs of divisions of the General Accounting Office regarding routine matters, but those desiring to consult with members of the staff of the Comptroller General (such as the Attorney-Conferees, the General Counsel and his assistants, and the Chief of Investigations) on matters of policy or of major importance to the Department, shall confer with the solicitor or the director of finance prior to making contact with the office of the Comptroller General. (1645)

3112. Settlement of Accounts.- Except as otherwise provided by law, every employee of the Department who receives public money which he is not authorized to retain as salary, pay, or emolument, shall render his accounts monthly. Such accounts, with the vouchers necessary to the correct and prompt settlement thereof, shall be sent to the Washington office of the bureau within ten days following the close of the month to which they pertain for examination after which they will be forwarded to the General Accounting Office for final settlement.

The General Accounting Office except when otherwise specifically provided by law has jurisdiction and authority, subject to appeal to the Congress, to determine the availability of appropriations for the support of the activities of the Government and to interpret laws relating to the execution thereof. (1640, 1647)

3113. Examination and Certification of Accounts.- A careful examination shall be made in each bureau of all vouchers, pay rolls, and accounts, prior to their certification for payment, which examination shall be assigned to auditors familiar with the laws and regulations, and the decisions of the Comptroller General, governing the obligation and disbursement of Government funds, and collection of fees, disallowances, and other items due the United States.

Chiefs of bureaus are responsible for the designation of competent certifying and approving officers, the establishment of adequate procedures to safeguard against illegal or erroneous certifications and payments, and for the execution of such measures as may be necessary to effect recovery of amounts illegally or erroneously paid.

By the terms of Executive Order No. 6166, the accountability for improper certifications rests upon certifying officers, and whenever an improper payment is made because of an illegal or erroneous certification, the certifying officer will be held primarily accountable.

However, it shall be for administrative determination (after every practicable effort has been made to effect recovery from the person who was overpaid through an erroneous certification) whether those employees who have been charged with responsibility for the accuracy of reports, records, or documents, in support of pay rolls and vouchers, or those responsible for the verification of pay rolls and vouchers for correctness of amount and legality of payment, and upon whose initials or signatures the certifying officer relied for his certification, shall be held accountable, either individually or jointly, for causing an erroneous or illegal certification and payment, and they shall be called upon for the repayment of any amount paid through an erroneous certification, when it can be clearly established that the certify-

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WASHINGTON

November 5, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 48.

Decision A-81825, issued December 29, 1936, by the Acting Comptroller General, reads in part as follows:

> "..... if a payment be erroneously or illegally made because of an erroneous certification the responsibility therefor is placed directly upon the certifying officer and the circumstances ..... may not relieve him from liability for the amount erroneously or illegally paid."

Decision A-74046, (15 Comp Gen. 962), issued May 5, 1936, by the Comptroller General reads in part as follows:

> "The clerk or clerks who made the error in calculation in the first instance and who were administratively required to make reimbursement have no claim against the United States by reason thereof on the basis of administrative action in requiring them to reimburse the disbursing officer who made the payment. That is a matter between the administrative office and the clerks."

In view of the importance of these decisions, paragraph 3113 of the Regulations of the Department has been amended as shown on the reverse side of this and subsequent sheet.

This amendment is promulgated effective immediately and all copies of the Regulations should be revised accordingly. Inasmuch as this subject has been included in the Table of Contents and the Index no additions need be made to those sections.

H A Wallace

Secretary.

Accounts

3113 (cont.) bureaus are also responsible for the selection of competent approving officers, and for the nomination of certifying officers whom the Secretary of Agriculture may designate in writing to the Treasury Department, such certifying officers to be chosen with due regard to the responsibilities placed upon them by law. (Public Law 389, 77th Congress, 1st Session, fixing responsibilities of certifying officers.)

A certifying officer "shall . . . be held accountable for and required to make good to the United States the amount of any illegal, improper or incorrect payment resulting from any false, inaccurate, or misleading certificate made by him, as well as for any payment prohibited by law or which did not represent a legal obligation under the appropriation or fund involved: Provided, That the Comptroller General may, in his discretion, relieve such certifying officer or employee of liability for any payment otherwise proper whenever he finds (1) that the certification was based on official records and that such certifying officer or employee did not know, and by reasonable diligence and inquiry could not have ascertained, the actual facts, or (2) that the obligation was incurred in good faith, that the payment was not contrary to any statutory provision specifically prohibiting payments of the character involved, and that the United States has received value for such payment: Provided, further, That the Comptroller General shall relieve such certifying officer or employee of liability for an overpayment for transportation services made to any common carrier covered by title III, part II, section 322, of the Transportation Act of 1940, approved September 18, 1940, whenever he finds that the overpayment occurred solely because the administrative examination made prior to payment of the transportation bill did not include a verification of transportation rates, freight classifications, or land-grant deductions. . . . and they shall have the right to apply for and obtain a decision by the Comptroller General on any question of law involved in a payment on any vouchers presented to them for certification." (Public Law 389, 77th Congress, 1st Session, fixing responsibilities of certifying officers.)

In view of the foregoing, no administrative action should be taken to interfere with the right of the certifying officer to obtain a decision from the Comptroller General on a question of law involved in a voucher presented to him for certification.

* Public Law 389, 77th Congress, as amended, while fixing the responsibilities of certifying officers, does not preclude administrative action in behalf of certifying officers against those upon whom certifying officers must depend for the accuracy of payments. Upon the discovery of an erroneous payment, the certifying officer, after every practicable effort has been made to recover, will advise the chief of bureau, or his designee, of such condition. The chief of bureau, or his designee, shall examine the facts presented and, if possible, fix the responsibility for the erroneous payment and take necessary measures to recover the amount from the responsible employee or employees. If, under the conditions surrounding the transaction, it is determined that responsibility for the erroneous payment should not be placed on any employee or employees, including the certifying officer, then measures should be taken to seek relief for the certifying officer under existing law if such action appears to be warranted. *

Accounts

3113 (cont. 2) Under no circumstances shall the administrative examination of disbursing officers' accounts current, as required by the provisions of the Act of July 31, 1894, as amended, be made by the officials certifying and approving vouchers and payrolls for payment.

There shall be furnished to the Office of Budget and Finance such information in the form of accounts current, disbursement and collection documents supporting such accounts current, and financial statements, as may be required for the maintenance of the central appropriation accounts in that Office, and for the administrative examination of disbursing officers' accounts current. (1648, 1649, 1650, 1889)

3114. Adjustment of Differences. Employees making administrative examination of accounts of employees who are both debtor and creditor of the United States in any form, are required by law to set off the one indebtedness against the other and to allow and certify for payment only the balance found due on one side or the other. (1531, 1642, 1646, 1652) (See also Regulation 3213.)

3115. Accounting Procedure. The Comptroller General has authority to prescribe the forms, systems, and procedure for administrative appropriation and fund accounting and for the administrative examination of fiscal officers' accounts and claims against the United States. No changes may be made in the accounting system of any bureau until such changes are submitted to and approved by the Director of Finance and the Comptroller General. (1643)

Accounts

3116. Irregularities in Accounts. Under the provisions of section 236 of the Revised Statutes, as amended, any irregularity, falsification, or discrepancy involving accountability to, or a claim on behalf of, the United States must be reported promptly and fully to the General Accounting Office. Any employee who has reason to believe that any such irregularity, falsification, discrepancy, or claim exists will report it either directly, or through the chief of bureau to the Secretary for appropriate action. (1644) (See Regulation 2912)

ing officer was without fault in causing the erroneous certification.

Under no circumstances shall the administrative examination of disbursing officers' accounts current, as required by the provisions of the Act of July 31, 1894, as amended, be made by the officials certifying and approving vouchers and pay rolls for payment.

There shall be furnished to the division of accounts, office of budget and finance, such information in the form of accounts current, disbursement and collection documents supporting such accounts current, and financial statements, as may be required for the maintenance of the central appropriation accounts in that office, and for the administrative examination of disbursing officers' accounts current. (1648, 1649, 1650, 1889)

3114. Adjustment of Differences.- Employees making administrative examination of accounts of employees who are both debtor and creditor of the United States in any form, are required by law to set off the one indebtedness against the other and to allow and certify for payment only the balance found due on one side or the other. (1531, 1642, 1646, 1652) (See also Paragraph 3213.)

3115. Accounting Procedure.- The Comptroller General has authority to prescribe the forms, systems, and procedure for administrative appropriation and fund accounting and for the administrative examination of fiscal officers' accounts and claims against the United States. No changes may be made in the accounting system of any bureau until such changes are submitted to and approved by the director of finance and the Comptroller General. (1643)

3116. Irregularities in Accounts.- Under the provisions of section 236 of the Revised Statutes, as amended, any irregularity, falsification, or discrepancy involving accountability to, or a claim on behalf of, the United States must be reported promptly and fully to the General Accounting Office. Any employee who has reason to believe that any such irregularity, falsification, discrepancy, or claim exists will report it either directly, or through the chief of bureau to the Secretary for appropriate action. (1644) (See Paragraph 2814.)

3117. Contracts to be filed in General Accounting Office.- Under the provisions of section 3743, Revised Statutes, as amended, the Comptroller General requires that all contracts requiring the advance of money, or in any manner connected with the settlement of public accounts shall be deposited in the General Accounting Office. These contracts include:

a) all formal contracts;

b) contracts or agreements, the estimated value of which is $1,000 or more;

c) contracts or agreements involving more than one payment.

Other contracts are to be attached to the voucher on which payment is made. Such contracts shall be forwarded to the General Accounting Office, as directed by the chief of bureau, within 30 days from date of execution.

All contracts (except public utility contracts) shall be supported by Statement and Certificate of Award (Standard Form 1036) which must be executed by the contracting officer making the award, except that if the award is made by or subject to the approval of another officer the certification may be executed by such officer. (1888)

3118. Classification of Departmental Expenditures.- The classification of expenditures prescribed by the Comptroller General of the United States in General Accounting Office Bulletin No. 1, dated May 11, 1922, as amended, will be maintained exclusively by ledger record in the bureaus and offices of the Department. This classification should be so kept as to permit prompt response to such calls as may be made for special statements and summaries and the proper preparation of the annual estimates of appropriations.

3119. Preservation of Accounts and Records.- In addition to such accounting and fiscal records as may be maintained in the Washington, D. C. offices of the various bureaus, the following records shall be retained for a period of at least five years at each field station, office or other point at which departmental work is conducted throughout the year:

(1) Copies of all purchase vouchers issued at that point and of supporting documents, including purchase orders, requisitions, copies of vendors' invoices unless purchase is itemized on voucher, and receiving records;

(2) Copies of all payroll vouchers prepared by the station or office and of supporting documents, including time reports and time books;

(3) Copies of all records and supporting documents pertaining to collections of funds including receipts, records of transmittal, certificates of deposit, and coupons, certificates, or other documents which form the basis for collections;

(4) Copies of all records relating to sales, exchanges, or disposition otherwise of surplus products or materials, including prenumbered sales slips, production records, approved exchanges, correspondence relating to exchanges, etc.

The records referred to in the preceding paragraphs shall be maintained accurately, shall be kept current at all times, and shall be kept in such systematic order as to facilitate an audit or examination thereof.

Chiefs of the various bureaus and offices shall determine what additional records shall be maintained at field stations and in their accounting offices at Washington, D. C.

No account or record shall be withdrawn from the files nor shall copies be furnished to any person unless approved by the official in charge of the station or office.

The accounts and records of those field stations or offices which are operated only a part of the year shall be forwarded to the bureau in Washington or to some other designated office in the field for safekeeping at such times as the official in charge believes desirable.

No record, account, document, or other official papers shall be destroyed until approval shall have been secured from the chief of the division of operation. ((108, 680, 1296, 1297, 1329)) ((See also Paragraph 1534.))

ALLOWANCES

3121. Subsistence and Quarters Allowances, Field Service.- Civilian employees in the field service may be furnished quarters, heat, light, household equipment, subsistence, and laundry service where conditions of employment require it, but the reasonable value of such allowances shall be determined and considered as part of the compensation in fixing the salary rate of such civilians.

The total salary rate fixed for all employees entitled by law or regulation to allowance in kind, unless otherwise provided by law, must include the amount of cash to be paid and the full amount of the determined value of the allowances furnished in kind, the cash only to be charged to the salary appropriation, and any item of cost connected with the property to be charged to appropriations specifically provided for that purpose, no adjustments between the appropriations being authorized or required.

The reasonable value of allowances furnished in kind to field employees is not necessarily to be limited to the cost of the allowances to the Government but the basis is the reasonable value to the employee during the particular period and in the particular locality where employed. While the position and salary of an employee are to be considered in determining the reasonable value to him of the item furnished the values for items will not be based solely on the salary of the position held.

Each bureau will establish a schedule of rates for particular quarters and other allowances, indicating a specific amount for each allowance where, because of absence of individual meters, flat rates must be used, copies of which will be filed in the office of the

director of finance and the General Accounting Office.

Notice of deviations or exceptions from the schedule of rates fixed by the bureau for value of allowances furnished in kind to field employees must be furnished the General Accounting Office in writing either with the payrolls on which deductions are made at rates other than provided by the general schedule or directly to that office prior to the settlement of accounts involved.

During periods of leave without pay the established value, as previously determined, of any quarters and equipment furnished a field employee during such period will be deducted from the amount otherwise due him or which may become due. Where the quarters are entirely vacated by the employee for periods of fifteen days or more while on leave and are available for other assignment no charge should be made for their value, but if such quarters are reserved for the employee during his absence the charge should be made as if the quarters were actually occupied by him. (74)

3122. Subsistence, Personal Equipment, and Supplies for Employees in Alaska.- Employees stationed in Alaska may be furnished subsistence and personal equipment and supplies may be purchased for them, but deductions must be made from their salary payments to meet the cost thereof. (162a)

3123. Allowances to Employees Stationed in Foreign Countries.- Employees of the Department, who are citizens of the United States, having permanent station in a foreign country may be furnished, without cost to them, living quarters, including heat, fuel and light, in Government-owned or rented buildings and,

where such quarters are not available, may be granted an allowance for living quarters, including heat, fuel and light. (113)

3124. Allowances to Employees of Forest Service.- The Secretary is authorized to

a) furnish subsistence to, and

b) purchase personal equipment and supplies

for employees of the Forest Service, and to make deductions therefor from moneys appropriated for salary payments or otherwise due such employees.

The Revenue Act of 1935 provides that no excise tax shall be imposed upon articles purchased for the exclusive use of the United States. In accordance with the requirements of Treasury Decision 4604, the responsible administrative officer shall notify the manufacturer or dealer within thirty days when articles purchased without the payment of the excise tax are resold to employees. The tax applicable to the sale of such articles shall then be included by the manufacturer in his return for the month during which such report is received by him. The manufacturer should then bill the procuring agency which in turn will have the employee who received the article refund the tax to the manufacturer.

The Secretary is also authorized to provide out of moneys appropriated for general expenses of the Forest Service medical attention for employees located at isolated situations, including the moving of such employees to hospitals or other places where medical assistance is available, and in case of death to remove the bodies of deceased employees to the nearest place where they can be prepared for shipment for burial. (1035, 1036)

APPROPRIATIONS

3131. Fiscal Year Determination.- It is essential in the disbursement of accountable funds that the fiscal year be correctly determined. While it is not requisite that the delivery of goods or the rendering of services shall be completed within the fiscal year in which they were contracted for, vouchers paid from an appropriation of the preceding year shall carry evidence that the contracts were executed within that year or that the order was given within that year to meet a need then existing. This applies also to the procurement of material or services from another Government department or agency. Orders so placed, in writing, are obligations in the same manner as contracts placed with private contractors, and constitute encumbrances upon the appropriations for the fiscal year in which the order is placed, except as stated in the next paragraph.

A claim against an annual appropriation, when otherwise proper, is chargeable to the appropriation of the fiscal year for which the liability was incurred.

After the appropriation for the ensuing fiscal year is made, contracts may be executed and orders placed for supplies, materials, etc. for that year, and if needed at the beginning of the new fiscal year, or shortly thereafter, delivery may be accepted in the current fiscal year. Payment can not be made for such articles, however, until the beginning of the fiscal year to which the appropriation pertains.

3132. Availability of Appropriations.- Balances of appropriations made specifically for the service of any fiscal year and remaining unexpended at the expiration of such fiscal year shall be applied only to the payment of expenses or to the fulfillment of contracts property chargeable to that year. Balances of appropriations remaining unexpended for two fiscal years

after the close of the fiscal year for which appropriated, are required to be carried to the surplus fund and covered into the Treasury. Thereafter, claims presented for payment from the appropriation are for certification to the Comptroller General for examination and inclusion in a general deficiency bill. (1746)

3133. Creation of Deficit Prohibited.- Section 3679 of the Revised Statutes reads in part as follows: "No executive department or other Government establishment of the United States shall expend, in any one fiscal year, any sum in excess of appropriations made by Congress for that fiscal year, or involve the Government in any contract or other obligation for the future payment of money in excess of such appropriations unless such contract or obligation is authorized by law. ..... Any person violating any provision of this section shall be summarily removed from office and may also be punished by a fine of not less than $100 or by imprisonment for not less than one month." It is incumbent upon each chief of bureau to guard against the incurrence of deficiencies in appropriations.

DEPARTMENT OF AGRICULTURE

WASHINGTON

January 19, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 11.

There appears on the reverse side of this page an addition to the Regulations of the Department, paragraph 3133, entitled "Creation of Deficit Prohibited."

This addition is made for the purpose of impressing upon all responsible officers of the Department the seriousness of incurring a deficit.

This amendment is promulgated, effective immediately.

This page should be inserted in the Regulations and the following additions made to the Table of Contents and the Index:

To the Table of Contents:

"3133. Creation of Deficit Prohibited."

To the Index:

"Appropriations, creation of deficit in - 3133
Deficit, creation of, prohibited - - - - 3133
Expenditures, creation of deficit - - - 3133
Funds, creation of deficit - - - - - - - 3133"

H A Wallace

Secretary.

BONDS

3141. Bonds Covering Advance of Travel Expenses.-

3142. Bonding of Field Agents.-

3143. Construction Contract Bonds.-

BONDS

3142. Bonding of Employees, Contractors, Etc.

1. General Provisions

a. Except as otherwise provided herein, chiefs of bureaus are charged with the responsibility of carrying out the provisions of this Regulation, and shall approve bonds executed in accordance herewith. Chiefs of bureaus may delegate to supervisory officials who report directly to them the duties imposed by this Regulation, but such delegation will not relieve chiefs of bureaus of administrative responsibility for the enforcement of the provisions of this Regulation. (299)

b. Except as otherwise provided herein, the form and legal sufficiency of all bonds covered by this Regulation shall be approved by the Solicitor, or others to whom he may delegate this function.

c. The principal (person bonded) is responsible for the payment of bond premiums, unless otherwise provided by law. * A periodic review should be made by the appropriate officials to determine that premium payments have been made as required. Official bonds required by law must be renewed every four years, except that payment and acceptance of the annual premium on corporate surety bonds furnished by employees shall be a compliance with the requirement for the renewal of such bonds. * When a bond is no longer required and it is necessary to notify the surety (or sureties) of this fact in order to protect the principal from the necessity of continuing to pay premiums, the surety (or sureties) shall be notified of the date after which the United States will no longer look to the surety for protection for future acts or failure of performance of the principal. Such notice shall also be given upon the request of the surety. The notice shall be given through the Chief Disbursing Officer for all bonds provided for the protection of that officer. The term "approved corporate surety bond" as used herein means a bond issued by a surety corporation whose name appears on the approved list of bonding companies, which list is issued by the Treasury Department (Section of Surety Bonds). (300, 304) (Public Law 275, 78th Congress, approved March 31, 1944.)

d. Except as otherwise provided herein, all bonds shall be transmitted to the Treasury Department (Section of Surety Bonds), for filing and safekeeping, or for forwarding to the General Accounting Office.

e. The Director of Finance is authorized to issue instructions supplementing this Regulation. The necessity for the bond, the adequacy of the protection of the interest of the Government, and the practices used by the bureaus for determining the amount of a bond shall be periodically ascertained by the Director of Finance.

2. Bonding of Employees of the Department

a. Employees Receiving, Handling, or Having Custody of Public Funds. Every employee whose prescribed duties require him to receive, handle, or have custody of public funds or remittances, except checks and other instruments drawn payable to the Treasurer of the United States or endorsed payable to the Treasurer of the United States prior to receipt by the employee, shall furnish an approved corporate surety bond in an amount determined to be sufficient to protect the United States against loss, provided, however, that chiefs of bureaus may by formal action specifically exempt any employee who handles less than $200 a year. Nothing in this paragraph shall be construed to limit

3142 (cont.) the authority of a chief of bureau to require bonds as provided in Section 2 f. of this Regulation.

The following factors should be considered in determining the amount of the bond to be furnished by each such employee: (1) the amount of funds or remittances to be protected by the bond, (2) the largest amount of such funds or remittances in hand at any one time, (3) the provisions that have been made to assure the prompt transmission or deposit of public funds required by Regulation 3175, (4) the frequency and detail with which the transactions and accounts of the employee are audited, and (5) any other safeguards of public funds.

b. Employees Requesting Advances of Funds. Except as provided below, a bond, or bonds, in multiples of $1,000 shall be furnished in amounts sufficient to cover all advances which an employee may have at any one time. Such bonds shall be approved by a bureau official designated by the Secretary to approve applications for advances of funds. Bonds are required as follows:

(1) For advances solely under the Subsistence Expense Act of 1926 * either Standard Form No. 19 Revised, surety bond, or Treasury Form No. 19a, collateral security bond, shall be used. If Treasury Form No. 19a is used, the bond shall be in a sum not less than the travel advance applied for plus twenty-five per cent. Bond forms No. 19 Revised and No. 19a should not be submitted to the Solicitor for examination and approval. *

(2) For advances solely under the Act of June 3, 1902, Bond Form AD-101 shall be used. *** This form of bond when executed shall be submitted to the Solicitor.

(3) For advances under both (a) the Subsistence Expense Act of 1926 *** and (b) the Act of June 3, 1902, Bond Form AD-100 shall be used. This form of bond, when executed, shall be submitted to the Solicitor. (1708)

c. Disbursing Officers. Employees who have been designated by the Secretary as Treasurers, Assistant Treasurers, Disbursing Agents, etc., to disburse funds administered by the Department which are exempt from the provisions of Section 4, Executive Order 6166, shall be required to furnish an approved corporate surety bond in whatever amount the Director of Finance, upon recommendation by the chief of the bureau, shall determine to be sufficient to protect the Secretary and the United States. (1263)

d. Agents of the Chief Disbursing Officer, Treasury Department. Employees who may be designated by the Chief Disbursing Officer as Assistant Disbursing Officers, Agent Cashiers, etc., to act for him in making payments and/or collections shall furnish bond in such amounts and in such form as the Treasury Department may require. Such bonds should not be submitted to the Solicitor for approval. (1263)

e. Property Custodians. Chiefs of bureaus may require a bond in sufficient amount from each employee who has been designated as responsible for the safekeeping of valuable property, such as negotiable instruments, equipment, etc.

f. Other Employees. When it is determined to be in the interest of the Government, chiefs of bureaus may require bond to be given by employees to insure faithful performance of duty or for any other reason.

g. Certifying Officers. All employees designated by the Secretary of Agriculture to the Treasury Department as certifying officers shall furnish a surety bond satisfactory to the Treasury Department in an amount to be fixed by the Secretary upon recommendation of the Chief of the bureau concerned "in accordance with the degree of the officer's responsibility, taking into consideration the character and estimated

3142. Bonding of Employees, Contractors, Etc.

1. General Provisions

a. Except as otherwise provided herein, chiefs of bureaus are charged with the responsibility of carrying out the provisions of this Regulation, and shall approve bonds executed in accordance herewith. Chiefs of bureaus may delegate to supervisory officials who report directly to them the duties imposed by this Regulation, but such delegation will not relieve chiefs of bureaus of administrative responsibility for the enforcement of the provisions of this Regulation. (299)

b. Except as otherwise provided herein, the form and legal sufficiency of all bonds covered by this Regulation shall be approved by the Solicitor, or others to whom he may delegate this function.

c. The principal (person bonded) is responsible for the payment of bond premiums, unless otherwise provided by law. Official bonds must be renewed every four years. When a bond is no longer required and it is necessary to notify the surety (or sureties) of this fact in order to protect the principal from the necessity of continuing to pay premiums, the surety (or sureties) shall be notified of the date after which the United States will no longer look to the surety for protection for future acts or failure of performance of the principal. Such notice shall also be given upon the request of the surety. The notice shall be given through the Chief Disbursing Officer for all bonds provided for the protection of that officer. The term "approved corporate surety bond" as used herein means a bond issued by a surety corporation whose name appears on the approved list of bonding companies, which list is issued by the Treasury Department (Section of Surety Bonds). (300, 304)

d. Except as otherwise provided herein, all bonds shall be transmitted to the Treasury Department (Section of Surety Bonds), for filing and safekeeping, or for forwarding to the General Accounting Office.

e. The Director of Finance is authorized to issue instructions supplementing this Regulation. The necessity for the bond, the adequacy of the protection of the interest of the Government, and the practices used by the bureaus for determining the amount of a bond shall be periodically ascertained by the Director of Finance.

2. Bonding of Employees of the Department

a. Employees Receiving, Handling, or Having Custody of Public Funds. Every employee whose prescribed duties require him to receive, handle, or have custody of public funds or remittances, except checks and other instruments drawn payable to the Treasurer of the United States or endorsed payable to the Treasurer of the United States prior to receipt by the employee, shall furnish an approved corporate surety bond in an amount determined to be sufficient to protect the United States against loss, provided, however, that chiefs of bureaus may by formal action specifically exempt any employee who handles less than $200 a year. Nothing in this paragraph shall be construed to limit the authority of a chief of bureau to require bonds as provided in Section 2.f of this Regulation.

The following factors should be considered in determining the amount of the bond to be furnished by each such employee: (1) the amount of funds or remittances to be protected by the bond, (2) the largest amount of such funds or remittances in hand at any one time, (3) the

DEPARTMENT OF AGRICULTURE

WASHINGTON

AMENDMENT TO THE REGULATIONS

Amendment No. 128 July 23, 1941

There appears on the reverse of this page and succeeding pages a new Regulation, designated "3142. Bonding of Employees, Contractors, Etc.," which combines the following former Regulations and is issued effective immediately, superseding Amendments 40 and 57, dated August 23, 1937 and February 25, 1938, respectively:

3142. Bonding of Employees Receiving or Having Custody of Official Funds

3143. Performance Bonds

3144. Payment Bonds

This Regulation also includes those parts of Regulation 3434, "Advancement of Funds for Expenses," which explain the use of bonds covering advances.

Under this Regulation, approval of bonds by the Secretary and the Director of Finance is no longer required. The Solicitor is responsible for approving the bonds for form and legal sufficiency. Responsibility for carrying out the provisions of the Regulation is placed directly upon bureau chiefs.

The following changes should be made in the Table of Contents and in the Index:

Table of Contents

Changes:

3142 from "Bonding of Employees Receiving or Having Custody of Official Funds"

to "Bonding of Employees, Contractors, etc."

Deletions:

3143. Performance Bonds
3144. Payment Bonds

Index

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Bonds, advance of funds		3142
bid		3142
payment		3142
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Bureaus, chiefs, approval of bonds		3142
Collection officers, bonding		3142

provisions that have been made to assure the prompt transmission or deposit of public funds required by Regulation 3175, (4) the frequency and detail with which the transactions and accounts of the employee are audited, and (5) any other safeguards of public funds.

b. Employees Requesting Advances of Funds. Except as provided below, a bond, or bonds, in multiples of $1,000 shall be furnished in amounts sufficient to cover all advances which an employee may have at any one time. Such bonds shall be approved by a bureau official designated by the Secretary to approve applications for advances of funds. Bonds are required as follows:

(1) For advances solely under the Subsistence Expense Act of 1926, when an employee does not have sufficient accumulation of retirement deductions to his credit to secure an advance. Standard Form No. 19 shall be used. It should not be submitted to the Solicitor for examination and approval.

(2) For advances solely under the Act of June 3, 1902, Bond Form AD-101 shall be used. Accumulations of retirement deductions are not acceptable as security. This form of bond, when executed, shall be submitted to the Solicitor.

(3) For advances under both (a) the Subsistence Expense Act of 1926 when the employee does not have sufficient accumulation of retirement deductions to his credit to secure the amount to be advanced for subsistence expenses of official travel, and (b) the Act of June 3, 1902, Bond Form AD-100 shall be used. This form of Bond, when executed, shall be submitted to the Solicitor. (See also Treasury Circular No. 369 Rev.) (1708)

c. Disbursing Officers. Employees who have been designated by the Secretary as Treasurers, Assistant Treasurers, Disbursing Agents, etc., to disburse funds administered by the Department which are exempt from the provisions of Section 4, Executive Order 6166, shall be required to furnish an approved corporate surety bond in whatever amount the Director of Finance, upon recommendation by the chief of the bureau, shall determine to be sufficient to protect the Secretary and the United States. (1263)

d. Agents of the Chief Disbursing Officer, Treasury Department. Employees who may be designated by the Chief Disbursing Officer as Assistant Disbursing Officers, Agent Cashiers, etc., to act for him in making payments and/or collections shall furnish bond in such amounts and in such form as the Treasury Department may require. Such bonds should not be submitted to the Solicitor for approval. (1263)

e. Property Custodians. Chiefs of bureaus may require a bond in sufficient amount from each employee who has been designated as responsible for the safekeeping of valuable property, such as negotiable instruments, equipment, etc.

f. Other Employees. When it is determined to be in the interest of the Government, chiefs of bureaus may require bond to be given by employees to insure faithful performance of duty or for any other reason.

g. Certifying Officers. All employees designated by the Secretary of Agriculture to the Treasury Department as certifying officers shall furnish a surety bond satisfactory to the Treasury Department in an amount to be fixed by the Secretary upon recommendation of the Chief of the bureau concerned "in accordance with the degree of the officer's responsibility, taking into consideration the character and estimated

DEPARTMENT OF AGRICULTURE

WASHINGTON

AMENDMENT TO THE REGULATIONS

Amendment No. 142 March 4, 1942

On the reverse side of this page and the succeeding page appears a revision of the second and third pages of Regulation 3142, entitled "Bonding of Employees, Contractors, Etc.", which supersedes Amendment No. 128, dated July 23, 1941, and is promulgated effective April 1, 1942.

The purpose of this revision is to incorporate in section 2 an additional paragraph, designated "g. Certifying Officers". This is made necessary by Public Law 389, 77th Congress 1st Session, which fixes the responsibilities of certifying officers.

No changes in the Table of Contents will be necessary. The following additions to the Index, however, should be made:

Certifying Officers, bonding - - - - - - - - - - - 3142
Bonds, certifying officers' - - - - - - - - - - - 3142

Grover B. Hill

Assistant Secretary

amount of vouchers to be certified for payment during the ensuing twelve-months' period. Such penal sum should be sufficient to protect the interests of the United States under the circumstances." (Treasury Department Circular 680)

3. Bonding of Non-Employees. (Contractors, Etc.)

a. Performance Bonds. Before any contract for the construction, alteration, or repair of any public building or public work, in an amount in excess of $2,000, is awarded to any person, such person shall be required to furnish a performance bond, in an amount equal to the amount of the award, with a surety or sureties satisfactory to the Officer making the award, and subject to the approval of the Treasury Department (Section of Surety Bonds) in cases where a corporate surety is offered. Where individual sureties are accepted, there must be two sureties each of whom shall justify in the amount of the bond. For contracts for construction, alteration, or repair of any public building or public work in amounts of $2,000 or less, or for contracts for furnishing services, supplies, or equipment, in any amount, it shall be discretionary with the contracting officer of the bureau or agency concerned whether a performance bond is to be required, but this discretion must be exercised before advertising, and if a bond is to be required, that fact must be reflected in the specifications. Performance bonds shall be approved administratively by the contracting officer concerned. (1835)

Whenever the specifications of a contract require that the contractor shall furnish a patent bond, such bond shall be prepared or approved by the Solicitor and shall be approved in the same manner as herein provided for performance bonds.

b. Payment Bonds. Before any contract for the construction, alteration, or repair of any public building or work, in an amount in excess of $2,000 is awarded to any person, such person shall be required to furnish a payment bond for the protection of all persons supplying labor and material in the prosecution of the work provided for in the contract. Whenever the total amount payable by the terms of the contract is not more than $1,000,000 the payment bond shall be in the sum of one-half the total amount payable by the terms of the contract. Whenever the total amount payable by the terms of the contract is more than $1,000,000 and not more than $5,000,000, the payment bond shall be in an amount equal to 40 percent of the total amount payable by the terms of the contract. Whenever the total amount payable by the terms of the contract is more than $5,000,000, the payment bond shall be in a sum of $2,500,000. The surety (or sureties) on these bonds must be satisfactory to the officer making the award and is subject to the approval of the Section of Surety Bonds, Treasury Department, in cases where a corporate surety is offered. Where individual sureties are accepted, there must be two sureties each of whom shall justify in the amount of the bond. When a contract for the construction, alteration, or repair of any public building or public work is for $2,000 or less, it shall be discretionary with the contracting officer whether a payment bond is to be required, but this discretion must be exercised before advertising, and if a bond is to be required, that fact must be reflected in the specifications. Payment bonds shall be approved administratively by the contracting officer concerned. (1835)

c. Other Non-Employees. Chiefs of bureaus shall require concessionaires, bidders, Market Administrators, warehousemen, and others, to furnish bonds when necessary to protect the interests of the Government. Bid bonds will be retained by the contracting officers concerned (434, 435)

provisions that have been made to assure the prompt transmission or deposit of public funds required by Regulation 3175, (4) the frequency and detail with which the transactions and accounts of the employee are audited, and (5) any other safeguards of public funds.

b. Employees Requesting Advances of Funds. Except as provided below, a bond, or bonds, in multiples of $1,000 shall be furnished in amounts sufficient to cover all advances which an employee may have at any one time. Such bonds shall be approved by a bureau official designated by the Secretary to approve applications for advances of funds. Bonds are required as follows:

(1) For advances solely under the Subsistence Expense Act of 1926, when an employee does not have sufficient accumulation of retirement deductions to his credit to secure an advance, Standard Form No. 19 shall be used. It should not be submitted to the Solicitor for examination and approval.

(2) For advances solely under the Act of June 3, 1902, Bond Form AD-101 shall be used. Accumulations of retirement deductions are not acceptable as security. This form of bond, when executed, shall be submitted to the Solicitor.

(3) For advances under both (a) the Subsistence Expense Act of 1926 when the employee does not have sufficient accumulation of retirement deductions to his credit to secure the amount to be advanced for subsistence expenses of official travel, and (b) the Act of June 3, 1902, Bond Form AD-100 shall be used. This form of bond, when executed, shall be submitted to the Solicitor. (See also Treasury Circular No. 369 Rev.) (1708)

c. Disbursing Officers. Employees who have been designated by the Secretary as Treasurers, Assistant Treasurers, Disbursing Agents, etc., to disburse funds administered by the Department which are exempt from the provisions of Section 4, Executive Order 6166, shall be required to furnish an approved corporate surety bond in whatever amount the Director of Finance, upon recommendation by the chief of the bureau, shall determine to be sufficient to protect the Secretary and the United States. (1263)

d. Agents of the Chief Disbursing Officer, Treasury Department. Employees who may be designated by the Chief Disbursing Officer as Assistant Disbursing Officers, Agent Cashiers, etc., to act for him in making payments and/or collections shall furnish bond in such amounts and in such form as the Treasury Department may require. Such bonds should not be submitted to the Solicitor for approval. (1263)

e. Property Custodians. Chiefs of bureaus may require a bond in sufficient amount from each employee who has been designated as responsible for the safekeeping of valuable property, such as negotiable instruments, equipment, etc.

f. Other Employees. When it is determined to be in the interest of the Government, chiefs of bureaus may require bond to be given by employees to insure faithful performance of duty or for any other reason.

3. Bonding of Non-Employees. (Contractors, Etc.)

a. Performance Bonds. Before any contract for the construction, alteration, or repair of any public building or public work, in an

Deletions:

Paul H. Appleby

Acting Secretary

amount in excess of $2,000, is awarded to any person, such person shall be required to furnish a performance bond, in an amount equal to the amount of the award, with a surety or sureties satisfactory to the officer making the award, and subject to the approval of the Treasury Department (Section of Surety Bonds) in cases where a corporate surety is offered. Where individual sureties are accepted, there must be two sureties each of whom shall justify in the amount of the bond. For contracts for construction, alteration, or repair of any public building or public work in amounts of $2,000 or less, or for contracts for furnishing services, supplies, or equipment, in any amount, it shall be discretionary with the contracting officer of the bureau or agency concerned whether a performance bond is to be required, but this discretion must be exercised before advertising, and if a bond is to be required, that fact must be reflected in the specifications. Performance bonds shall be approved administratively by the contracting officer concerned. (1835)

Whenever the specifications of a contract require that the contractor shall furnish a patent bond, such bond shall be prepared or approved by the Solicitor and shall be approved in the same manner as herein provided for performance bonds.

b. Payment Bonds. Before any contract for the construction, alteration, or repair of any public building or work, in an amount in excess of $2,000 is awarded to any person, such person shall be required to furnish a payment bond for the protection of all persons supplying labor and material in the prosecution of the work provided for in the contract. Whenever the total amount payable by the terms of the contract is not more than $1,000,000, the payment bond shall be in the sum of one-half the total amount payable by the terms of the contract. Whenever the total amount payable by the terms of the contract is more than $1,000,000 and not more than $5,000,000, the payment bond shall be in an amount equal to 40 percent of the total amount payable by the terms of the contract. Whenever the total amount payable by the terms of the contract is more than $5,000,000, the payment bond shall be in a sum of $2,500,000. The surety (or sureties) on these bonds must be satisfactory to the officer making the award and is subject to the approval of the Section of Surety Bonds, Treasury Department, in cases where a corporate surety is offered. Where individual sureties are accepted, there must be two sureties each of whom shall justify in the amount of the bond. When a contract for the construction, alteration, or repair of any public building or public work is for $2,000 or less, it shall be discretionary with the contracting officer whether a payment bond is to be required, but this discretion must be exercised before advertising, and if a bond is to be required, that fact must be reflected in the specifications. Payment bonds shall be approved administratively by the contracting officer concerned. (1835)

c. Other Non-Employees. Chiefs of bureaus shall require concessionaires, bidders, Market Administrators, warehousemen, and others, to furnish bonds when necessary to protect the interests of the Government. Bid bonds will be retained by the contracting officers concerned. (434, 435)

3143. Performance Bonds.- Before any contract, for the construction, alteration, or repair of any public building or public work, in an amount in excess of $2,000, is awarded to any person, such person shall be required to furnish a performance bond, in an amount not less than 50% of the amount of the award, with a surety or sureties satisfactory to the officer making the award, and subject to the approval of the Section of Surety Bonds, Treasury Department in cases where a corporate surety is offered. Where individual sureties are accepted, there must be two sureties each of whom shall justify in a sum not less than the penalty of the bond. Where the amount of a construction contract is $2,000 or less, or for any amount under contracts for furnishing services, supplies, or equipment, it shall be discretionary with the procurement officer whether a performance bond shall be required, but this discretion must be exercised before advertising, and if a bond is to be required, that fact must be reflected in the specifications. (1835)

3144. Payment Bonds.- Before any contract, for the construction, alteration, or the repair of any public building or public work, in an amount in excess of $2,000 is awarded to any person, such person shall be required to furnish a payment bond, for the protection of all persons supplying labor and material in the prosecution of the work provided for in the contract, in an amount not less than 50% of the amount of the award, whenever the total amount payable by the terms of the contract shall be not more than $1,000,000, with a surety or sureties satisfactory to the officer making the award, and subject to the approval of the Section of Surety Bonds, Treasury Department in cases where a corporate surety is offered. Where individual sureties are accepted, there must be two sureties each of whom shall justify in a sum not less than the penalty of the bond. Where the amount involved is $2,000 or less, it shall be discretionary with the procurement officer whether a payment bond shall be required, but this discretion must be exercised before advertising, and if a bond is to be required, that fact must be reflected in the specifications. (1835)

DEPARTMENT OF AGRICULTURE

WASHINGTON

August 23, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 40.

There appear on the reverse side of this sheet two additional paragraphs to the Regulations, entitled "3143. Performance Bonds", and "3144. Payment Bonds."

The purpose of these additions to the Regulations is to set forth instructions as to requirements in connection with performance and payment bonds in support of contracts for construction.

These regulations are promulgated effective immediately. The following changes should be made in the Table of Contents and the Index:

Change the Table of Contents:

From "3143. Construction Contract Bonds"
To "3143. Performance Bonds"

Add to the Table of Contents:

"3144. Payment Bonds"

Add to the Index:

"Bonds, construction contract - - 3144, 3143
Construction, contract bonds - - 3144, 3143"

M. L. Wilson

Acting Secretary.

CHECKS

3151. Discounting.- No discount charge is a proper expense of the Government and must be borne by the person cashing the check.

3152. Duplicates.- Duplicate checks cannot be issued when original checks are lost, stolen, or destroyed (except under special authority) until thirty days have elapsed since the date of issuance of the original, the Treasury Department has been notified to stop payment, and a bond of indemnity has been furnished.

3153. Forgery.- Whenever a payee of a check claims that the endorsement thereon is a forgery, the correspondence will be referred to the disbursing officer issuing the check for forwarding to the Treasurer of the United States.

3154. Endorsements.- Endorsement must be precisely the same as shown on the face of the check.

Checks drawn payable on the endorsement of the legal representative of the person or corporation entitled, such as the appointed receiver, trustee in bankruptcy or liquidation, or administrator of the estate, should be delivered to such representative if he has been duly qualified, no prior necessity existing for specifically authorizing negotiation by such representative beyond the authority shown by his appointment and qualification. The first check negotiated by such representative should be accompanied by a short certificate of the order or decree of the court showing the appointment and qualification of the representative. No such requirement is made, however, in cases where checks are drawn on evidence submitted with a claim to the General Accounting Office, such as payments to deceased or incompetent persons.

Endorsements by mark (X) must be witnessed by two persons, signing their names as witnesses and giving their post-office addresses.

3155. Lost Checks.- Loss of check should be promptly reported to the disbursing agent by whom drawn by letter signed by owner or wire confirmed by such letter. The report should state whether check was not received or lost or destroyed after receipt; if lost after receipt, the circumstances surrounding the loss should be given, stating whether it had been endorsed by the payee. In the former event loss should not be reported until inquiry of the local postal authorities has failed to develop information and the report should state the facts. It should give also, amount of check, for what purpose drawn, and, if known, number and date. The disbursing office will request stoppage of payment by the Treasurer of the United States, who will send owner bond to be executed for issuance of duplicate check after expiration of thirty days from date of original as prescribed by law. If lost check is found before receipt of duplicate the owner should at once notify the disbursing officer by wire or letter and may then cash original. If original is found after duplicate has been cashed it should be promptly transmitted to the disbursing officer by whom drawn. (1656, 1704)

3156. Negotiability.- Checks will be honored by the Treasurer of the United States if presented before the close of the fiscal year next following the fiscal year in which such checks were issued (Sec. 21, 48 Stat. 1235). Checks outstanding a longer time must be forwarded to the General Accounting Office with request that Treasury warrant be issued to the owner's order. (1758)

3157. Travelers' Checks.- The purchase of travelers' checks for the safekeeping of privately owned or public funds in the possession of a bonded special disbursing agent or other employees while traveling, is not an authorized expense and the charge for issuance of such checks is not payable from public funds.

3158. Unclaimed and Undelivered Checks.- Unclaimed or undelivered checks should be returned to the issuing disbursing officer for forwarding to the General Accounting Office. A statement should accompany the checks giving the name and symbol number of the disbursing agent, and listing each check by number, date, amount, payee, payee's last known address, voucher reference, and purpose for which issued.

CLAIMS

3161. Refunding Moneys Erroneously Received and Covered.- Claims for refunds of moneys paid to the Department erroneously, in anticipation of consideration which cannot be furnished, or in excess of amounts due when authority for refund exists, with supporting documents, shall be scheduled on Department Form 42 through the director of finance to the General Accounting Office for direct settlement. (1756)

3162. Claims for Private Property Lost or Damaged Through Negligence of Employees.- Claims submitted under the act of December 28, 1922, (42 Stat. 1066) for private property lost or damaged through employee's negligence will be transmitted to the director of finance with bureau report and recommendation. If initially received in the Secretary's office they will be referred to the bureau for such report and recommendation. The report should (a) show affirmatively whether the employee was acting within the scope of his duty when the loss or damage was caused, (b) give name of officer viewing damage, and (c) state whether the amount claimed is considered just (claim is frequently an actual repair bill instead of an estimate). With respect to presentation, claims will be divided into two classes:

1. Motor transportation claims.- The procedure is governed by budget circular No. 206. The three forms prescribed therein, No. 26, driver's report -- accident, motor transportation; No. 27, investigating officer's report -- accident, motor transportation; No. 28, claim for damages, accident, motor transportation, must be used in preparing reports on and submitting claims arising from motor transportation accidents. Instructions as to the use of these forms, contained in budget circular No. 206, are as follows:

Par. 7. All drivers of Government motor vehicles and investigators of motor transportation accidents should be furnished with Forms

26 and 27, respectively, and directed to observe the instructions thereon.

Par. 8. Standard Form No. 28 should not be furnished unless and until a claim for damages has been made. Forms 26 and 27 should be accompanied by such additional statements by the driver and investigating officer as are essential to a clear understanding of the accident and related circumstances.

2. Other than motor transportation claims.- These claims should be presented on Department Form No. AD-24. Written statements by persons having definite knowledge of the accident (regardless of whether they actually saw it happen) or of the resulting damage should be obtained in all cases. When there are several witnesses, statements should be obtained from at least three of them.

In each case involving an accident or damage, or both, to property coming within 1 or 2 (regardless of whether a claim is submitted), an investigation will be made for the purpose of determining whether the accident or damage, or both, resulted from misconduct or neglect on the part of the responsible employee. If it is determined that the accident or damage, or both, resulted from the misconduct or negligence of the responsible employee, the chief of the bureau or office concerned shall submit a report containing all the facts pertaining to the case, together with the recommendation of the bureau or office, to the Secretary. (See also Paragraph 2921.) (1665)

DEPARTMENT OF AGRICULTURE

WASHINGTON

August 21, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 38.

There appears on the reverse side of this sheet a revision of the second section of paragraph 3162 entitled "Claims for Private Property Lost or Damaged Through Negligence of Employees." The purpose of this amendment is to provide for an investigation of each case involving an accident or damage to property; a report to the Department on each such case, and for recommendations from chiefs of bureaus and offices in cases of misconduct or neglect of duty.

The provisions of the paragraph, as revised, are promulgated effective immediately.

Inasmuch as the title of the paragraph is included in the Table of Contents no change in same is necessary. The following items should be added to the Index:

"Accidents resulting from misconduct or negligence of employees - - - - - - - - - 3162
Damages resulting from misconduct or negligence of employees - - - - - - - - - 3162
Reports
accident or damages resulting from misconduct or negligence of employees - 3162"

W. R. Wilson

Acting Secretary.

3163. Claims for Private Property Damaged in Connection with National Forests.- Reimbursement not exceeding $500 on any one claim may be made to owners of private property for damage or destruction caused by employees, without negligence, in connection with the protection, administration, or improvement of the national forests; payment may be made only from funds appropriated for the protection, administration, and improvement of the national forests.

Such claims with supporting papers shall be submitted to the Secretary with the recommendation of the bureau. After determination by the Secretary claims will be returned to the bureau. Claims approved by the Secretary will be paid through the usual disbursing channels while persons whose claims have been disapproved will be notified by the bureau of the decision. (1057)

DEPARTMENT OF AGRICULTURE

WASHINGTON

September 21, 1936

AMENDMENT TO THE REGULATIONS

Amendment No. 39.

There appears on the reverse side of this sheet an amendment to paragraph 3163, "Claims for Private Property Damaged in Connection with National Forests." This paragraph incorrectly stated that these claims should be submitted to the Director of Finance for submission to the General Accounting Office. Inasmuch as the Secretary is authorized to settle such claims this paragraph has been amended.

All copies of the Regulations should be amended accordingly.

Inasmuch as this title has been included in the Table of Contents and the Index no additions to those sections are required.

H A Wallace

Secretary.

3164. Claims for Private Property used by Forest Service. Reimbursement for loss or damage of property obtained by the Forest Service, for the use of that service, from employees or other owners may be made upon approval of the chief of the Forest Service or a regional forester in an amount not exceeding $50.

Claims in excess of $50 may be paid only on approval of the Secretary, and, except when the property was obtained for a fire fighting emergency, no reimbursement may exceed $50 unless the claim is supported by a written contract of hire or lease. Claims approved by the Secretary will be returned to the Forest Service for settlement through regular channels.

Such claims must be accompanied by a statement from a responsible administrative officer describing the loss or damage and the circumstances under which it occurred, certifying that the damage was not caused by the negligence of any Government employee and showing that the property was obtained for and was under the jurisdiction of the Forest Service. (943)

3165. Doubtful Claims Under Existing or Lapsed Appropriations. The Budget and Accounting Act of June 10, 1921, 42 Stat. 24, provides that no claim involving a doubtful question of law or fact shall be paid by any disbursing officer or agent of the United States except pursuant to specific statutory authority or by direction given in accordance with the provisions of such Act, but shall be settled and adjusted in the General Accounting Office. This Act also provides that the General Accounting Office shall receive, examine, and consider the justice and validity of all claims under appropriations, the balances of which have been exhausted or carried to the surplus fund. (See also Regulation 3167.) (1646)

Claims falling in one of these classes shall be forwarded through regular channels to the Director of Finance and shall be accompanied by all material papers, an administrative report in detail with recommendations, and a properly executed Form AD-42.

3166. Meritorious Claims. The Act of April 10, 1928, 45 Stat. 413, provides that when there is filed in the General Accounting Office a claim or demand against the United States that may not lawfully be adjusted by the use of an appropriation theretofore made, but which claim or demand in the judgment of the Comptroller General of the United States contains such elements of legal liability or equity as to be deserving of the consideration of the Congress, the Comptroller General shall submit the claim or demand to the Congress by a special report containing the material facts and his recommendation thereon. (See also Regulation 3167.) (1667g)

Claims, believed by the bureau concerned to fall within this class, shall be forwarded to the General Accounting Office for consideration by the Comptroller General. Such claims shall be forwarded through regular channels to the Director of Finance and shall be accompanied by all material papers, an administrative report in detail with recommendations, and a properly executed Form AD-42.

3167. Statutory Limitation on Claims. Public No. 820, 76th Congress, approved October 9, 1940, provides that every claim or demand (except a claim or demand by any State, Territory, possession, or the District of Columbia) against the United States cognizable by the General Accounting Office under section 305 of the Budget and

DEPARTMENT OF AGRICULTURE

WASHINGTON

January 23, 1941

AMENDMENT TO THE REGULATIONS

Amendment No. 116

On the reverse side of this page and the succeeding page there appear revisions of Regulations 3165 and 3166 entitled "Doubtful Claims Under Existing or Lapsed Appropriations" and "Meritorious Claims," respectively, and a new Regulation designated "3167. Statutory Limitation on Claims."

Regulations 3165 and 3166 have been revised to include a cross-reference to Regulation 3167, and the titles of both Regulations have been shortened. These Regulations supersede those promulgated by Amendment No. 75, dated October 21, 1938, and are effective immediately.

Regulation 3167 embodies the provisions of Public No. 820, 76th Congress, approved October 9, 1940, which sets a limit of ten years for the submission of claims to the General Accounting Office. This Regulation is promulgated effective as of October 9, 1940.

The following changes in, and additions to, the Table of Contents and Index should be made:

Table of Contents

Changes:

3165. From "Doubtful Claims Under Existing Appropriations or Appropriations - the Balance of Which Have Been Exhausted or Carried to the Surplus Fund"

To "Doubtful Claims Under Existing or Lapsed Appropriations"

3166. From "Claims of a Meritorious Nature or Containing Elements of Legal Liability or Equity"

To "Meritorious Claims"

Additions:

3167. Statutory Limitation on Claims

Index

Addition:

Claims, statutory limitation on - - - - - - - - - - - - 3167

Paul H. Appleby

Acting Secretary.

Accounting Act of June 10, 1921 (42 Stat. 24), and the Act of April 10, 1928 (45 Stat. 413), shall be forever barred unless such claim, bearing the signature and address of the claimant or of an authorized agent or attorney, shall be received in that office within ten full years after the date such claim first accrued. This Act also provides that when a claim of any person serving in the military or naval forces of the United States accrues in time of war, or when war intervenes within five years after its accrual, such claim may be presented within five years after peace is established.

The Act further provides that whenever any claim barred by such Act shall be received in the General Accounting Office, it shall be returned to the claimant, with a copy of this Act, and such action shall be a complete response without further communication. (See also Regulations 3165 and 3166.)

Officials responsible for the examination and clearance of claims should take such action as may be necessary to avoid disbarment of claims because of undue delay in the Department.

FUNDS

3171. Safekeeping of Public Money. Employees charged with the safekeeping of public money shall be held personally liable for such funds. (1702)

3172. Responsibility for Accounting for Public Money.

1. *The term "public moneys" as used in this regulation shall mean all specie, currency, or instruments having monetary value received on behalf of the United States, or by an employee of the United States in his official capacity, as the result of sales; refunds; discounts; deposits made as a pledge, security, etc.; collections; or otherwise.*

2. *Employees handling public moneys of, or on behalf of, the United States must account for the receipt and disposition of all public moneys handled by them. Failure to account for such public moneys is a violation of the criminal code of the United States. (1265; 1275; 1680; 1703) (See also Regulation 3142.)*

3. *The chief of each bureau shall be responsible for seeing that there are maintained such records, procedures, and other internal controls as are necessary to insure the proper and safe custody, administration, and accounting of all public moneys handled by the employees of his bureau. (See Regulation 3115.) In addition, he shall be responsible for providing audit programs to determine the adequacy of the existing records, procedures, and controls.*

4. *The records, procedures, and controls shall include protective mechanisms representing the maximum obtainable within the limits of practical operation. These shall include, wherever practicable, pre-numbered receipts, the regular reporting of collections to appropriate accounting offices for verification, the prompt deposit of all collections in authorized depositaries, provisions for obtaining collections in the form of checks or drafts made payable to the Treasurer of the United States, independent verification with debtors of amounts owed the Government and amounts paid, and other similar devices.*

5. *The audit programs maintained shall provide for audits to be made at least annually (but much more frequently in most cases) by employees not immediately responsible for handling the public moneys involved, except that the Director of Finance may approve plans for the performance of audits at less frequent intervals or for use of other effective controls in lieu of audits upon a showing that the interests of the Government will be fully protected.*

6. *The records, procedures, internal controls, and audit programs prescribed and maintained for moneys received on behalf of the Government must provide, consistent with the nature of the activity, (1) a determination of the amounts received, (2) a determination that the proper amounts have been deposited in accordance with existing law and the regulations of the Department, and (3) an accounting by each employee handling public moneys for the receipt and disposition thereof.*

(See also Regulation 4223.)

3173. Private Use of Public Money Prohibited. It is unlawful for any employee handling funds of the United States to convert to his own use, loan with or without interest, or deposit in any bank or

3173 (cont.) exchange for other funds, any public money entrusted to him, except as specifically allowed by law. No employee may use official funds for the purpose of cashing checks of any kind, whether public or private. No employee shall carry on any trade or business, not specifically authorized by law, in the funds or property of the United States. (1263, 1264, 1276, 1702)

3174. Withholding Public Money Prohibited. No employee handling public funds may withhold such funds without specific authorization. (1262, 1676)

3175. Deposit of Public Money. Section 3621 of the Revised Statutes provides that "Every person who shall have moneys of the United States in his hands or possession, and disbursing officers having moneys in their possession not required for current expenditure, shall pay the same to the Treasurer, or some public depositary of the United States, without delay, and in all cases within thirty days of their receipt." For the better protection of the Government, however, the Department requires that every employee who shall have funds for which the Department is responsible shall transmit the same to the proper

(Continued on next page.)

FUNDS

3171. Safekeeping of Public Money.- Employees charged with the safekeeping of public money shall be held personally liable for such funds. (1702)

3172. Accounting for Public Money.- Employees handling funds of the United States must account for all receipts and disbursements. Failure to account for such funds is a violation of the Criminal Code of the United States. (1265, 1275, 1680, 1703)

3173. Use of Public Money Prohibited.- It is unlawful for any employee handling funds of the United States to convert to his own use, loan with or without interest, or deposit in any bank or exchange for other funds, any public money entrusted to him, except as specifically allowed by law. No employee may use official funds for the purpose of cashing checks of any kind, whether public or private. No employee shall carry on any trade or business, not specifically authorized by law, in the funds or property of the United States. (1263, 1264, 1276, 1702)

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fiscal or administrative officer or deposit the same in a Federal Reserve Bank or other authorized Government depositary to the credit of the proper disbursing officer, such transmission or deposit to be made within twenty-four hours if practicable but in every case within one week after receipt of such funds. (1266, 1679, 1702)

3176. Proceeds of Sales of Material.- Proceeds of sales of old material, condemned stores, supplies or other public property shall be deposited in the Treasury as Miscellaneous Receipts, on account of "proceeds of Government property." The expenses of the sale of such material and the cost of postal money orders may be deducted from the gross amounts received, the net proceeds being remitted to the designated officer or depositary.

The transfer of public property from one bureau or department to another is not a sale within the meaning of section 3618 of the Revised Statutes, and it is not required that the money received therefor shall be covered into the Treasury as Miscellaneous Receipts. Reimbursement should be made therefor and the moneys so received repaid to the appropriation available for replacement or as otherwise specifically directed or authorized by law. Reimbursements for surplus materials, supplies, and equipment for which replacement is unnecessary will be covered into the Treasury as Miscellaneous Receipts. (1672, 1674, 1675) (See also Paragraphs 4422 and 3183.)

3177. Foreign Currency.- All claims for reimbursement of expenditures made in foreign currency should show the amount of foreign money expended, the rate of conversion, and be converted and stated in dollars. The rate of conversion should be supported, whenever practicable, by evidence that the rate shown was the rate current on the date of conversion.

All reimbursement vouchers in which there is conversion of foreign currency are for transmittal to the General Accounting Office for preaudit.

PAYMENTS

3181. Disbursing

1. In accordance with Executive Order No. 6166, dated June 10, 1933, disbursements for the Department of Agriculture are made by the Division of Disbursement of the Treasury Department, at the head of which is a Chief Disbursing Officer. In addition to the central disbursing offices in Washington, regional offices under the Chief Disbursing Officer are established throughout the United States to facilitate prompt payments. The Division of Disbursement may disburse moneys for the Department of Agriculture only upon, and in strict accordance with, vouchers duly certified by the Secretary or by an officer or employee of the Department duly authorized in writing by the Secretary to certify such vouchers.

2. While the payment to the creditor is ordinarily made directly by the Disbursing Officers, employees, under conditions covered by Regulation 3333, "Cash Purchases," and when in travel status as provided in the Standardized Government Travel Regulations, may use personal funds for payment of obligations of the Government and subsequently be reimbursed by the Government.

3182. Advances of Public Moneys

1. *No advances of public moneys shall be made in any case whatever, except as otherwise provided by law. (1705)*

2. *The exceptions authorized by law for the Department as a whole are as follows:

a. Subscription charges for newspapers, magazines, and other periodicals for official use of the Department may be paid in advance from appropriations available therefor. (See Regulations 1912 and 1914.) (113a)

b. Officers and employees of the Department stationed abroad may, with the approval of the Secretary, enter into leases for official quarters for periods not exceeding one year, and pay rent, telephone, subscriptions to publications, and other expenses incident to the conduct of their offices and the discharge of their duties, in advance, in any foreign country where custom or practice requires payment in advance. General authority for a bureau to permit its employees to pay for such items in advance may be secured from the Secretary. A signed copy of such authorization must be sent to the General Accounting Office for file and a reference to the authorization should be made on vouchers covering payments thereunder. (Department of Agriculture Appropriation Act)

c. Advances of money may be made to travelers for actual expenses or per diem allowance. (See Regulations 3142 and 3434.)

d. Advances of money may be made, under the Act of June 3, 1902, for duly authorized expenditures for objects not within the travel expense category. (See Regulations 3142 and 3434.)*

3. *Payment in advance is not required for the rent of a United States Post Office box for official use by an officer of the Government; such rent may be paid at the end of each quarter or fractional part thereof.*

3181. Disbursing. In accordance with Executive Order No. 6166, dated June 10, 1933, disbursements for the Department of Agriculture are made by the Division of Disbursement of the Treasury Department, at the head of which is a Chief Disbursing Officer. In addition to the central disbursing offices in Washington, regional offices under the Chief Disbursing Officer are established throughout the United States to facilitate prompt payments. The Division of Disbursement may disburse moneys only upon the approval of persons authorized to incur obligations on behalf of the United States as provided under Regulation 3113.

While the payment to the creditor is ordinarily made directly by the Disbursing Officers, employees, under conditions covered by Regulation 3333, "Cash Purchases", and when in travel status as provided in the Standardized Government Travel Regulations, may use personal funds for payment of obligations of the Government and subsequently be reimbursed by the Government.

3182. Advances of Public Moneys. Except as otherwise provided by law, no advance of public money shall be made in any case. Payment in advance is authorized by law for subscriptions to publications when certified in writing by the chief of bureau to be required for official use. In addition to advances of funds for official travel, advances for miscellaneous cash expenditures may be made to chiefs of field parties, agricultural explorers, special agents, and others who have given bonds in such sums as required by the Secretary. Officers and employees of the Department stationed abroad may, with the approval of the Secretary, enter into leases for official quarters, for periods not exceeding one year, and may pay rent, telephone, subscriptions to publications, and other charges incident to the conduct of their offices and the discharge of their duties, in advance, in any foreign country where custom or practice requires payment in advance.

Whenever it is necessary for officers and employees stationed abroad to enter into leases and make payments under the provisions of this regulation, authority for such employees in general to act hereunder may be secured from the Secretary. Such authorizations should be in the form of a letter prepared in and addressed to the bureau concerned for the signature of the Secretary. Signed copies of such authorization should be sent to the General Accounting Office, Audit Division, Miscellaneous Section for file. References thereto should be made on vouchers covering payments thereunder, as follows: "See letter of authorization dated _____, on file in the General Accounting Office, Audit Division, Miscellaneous Section."

Prepayment of rent for a United States post office box by an officer of the Government for official use in advance of service rendered is not required; the same may be paid at the end of each quarter or fractional part thereof. (621, 1705, 1706, 1707, 1708) (Public No. 173, 75th Congress).

DEPARTMENT OF AGRICULTURE

WASHINGTON

October 29, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 47.

There appears on the reverse side of this sheet an amendment to paragraph 3182, Advances of Public Moneys. This paragraph is amended to permit officers and employees of the Department stationed abroad to enter into leases for office quarters, pay rent, telephone, subscriptions to publications, and other charges, when authority therefor is given by the Secretary, in accordance with the Act of June 29, 1937, (Public No. 173, 75th Congress). This regulation before amendment permitted only those employees of the Foreign Agricultural Service, (Bureau of Agricultural Economics), to enter into such agreements and make such payments.

This regulation is promulgated effective immediately.

Inasmuch as this title has been included in the Table of Contents and the subject covered in the Index, no additions to those sections are necessary.

M. L. Wilson

Acting Secretary.

March 23, 1940

AMENDMENT TO THE REGULATIONS

Amendment No. 99.

There appears on the reverse side of this sheet a revision of Regulation 3181, "Disbursing", which is promulgated effective immediately.

In the revision of Regulation 3181 it was deemed advisable to (1) eliminate the second paragraph thereof, since its provisions are fully covered by Regulation 3113, and (2) eliminate the third paragraph, since its provisions are covered by Regulation 3333.

The following deletions should be made from the index:

Accountability for funds disbursed - - - - - - - - 3181
Disbursing, responsibility for - - - - - - - - - - 3181
Freight, cash payments for - - - - - - - - - - - - 3181
Funds, responsibility for disbursing - - - - - - 3181
Payments, certifying - - - - - - - - - - - - - - - 3181
Responsibility of certifying officers - - - - - 3181

The figures "3181" following "Certifying officer's responsibility".

Grover B. Hill

Acting Secretary.

3183. Cooperative Funds.-

3184. Discounts.- It is important that the Government receive the full benefit of all offers of discounts for payment within specified periods. Discounts should not be taken when payment is made after the specified time period has expired, unless authorized in writing by the vendor. The deduction of discounts under written agreements covering purchase of supplies by the Government is authorized only when the vendor makes an express offer of such discounts in his bid or agreement. Discounts stated on billheads should be taken on purchases made in the open market without special authorization from the vendor.

Where a contract provides for a discount for cash if paid within a fixed time, and the voucher is paid for the full amount, an explanation should be furnished with the voucher showing why the larger amount was paid.

Where there is any question as to the right to deduct the discount at the time of payment of a voucher, the discount should be deducted by a disbursing officer and payment of the balance tendered the payee, who, if not satisfied, may accept the payment under protest and file claim in the General Accounting Office for refund of the amount deducted.

3185. Partial Payments.- In all cases of contracts for the performance of any service or the delivery of articles of any description, partial payments may be made when so provided by the terms of the contract but shall not exceed the value of the service rendered or of the articles delivered previous to such payment.

3186. Payments Due Employees or Creditors who are Deceased or Incompetent or Merged, Dissolved, or Liquidated Corporations.- Checks drawn by a disbursing officer or agent of the United States which can not be paid because of the death or incompetence

of original payee should be forwarded through the director of finance to the General Accounting Office scheduled on Department Form No. AD-42 without alteration or correction together with a claim on Form 1055 properly executed by the executor, administrator, guardian, committee or legal representative, which office is authorized by law to make settlement in favor of the person ascertained to be entitled thereto. Insofar as former employees are concerned, citation must be made to the regular pay roll on which the employee would have been paid had he lived.

Checks drawn as payable to a merged, dissolved, or liquidated corporation or other payee no longer in existence or being should not be delivered but should be forwarded to the General Accounting Office for action.

TAXES

3191. Federal Taxes

* (Canceled. Instructions on this subject will be issued periodically as the need arises due to changes in the tax laws or regulations.) *

3192. State and Local Taxes

1. There is no authority in any State, county, municipality, or other political subdivision to tax the United States and purchases by the Federal Government are exempt from all taxes imposed by such agencies. No appropriation may be used for the payment of State or other local taxes unless such payment is necessary to secure articles or supplies for official use.

2. State or local taxes are not chargeable to the Federal Government where the tax is collectible (1) from the consumer, or (2) direct from the dealer who sells to the Federal Government. Tax exemption certificates, Standard Form No. 1094, Revised, should be issued to the vendor covering taxable articles on which tax exemption is granted, issuing a separate certificate for the State or other local tax. If the tax is collected from an agency previously handling the article and the amount thereof is included in its price to the dealer selling to the Department, the Government is not entitled to tax exemption unless exemption is granted by local laws or regulations.

3. In states having a dealer's tax, purchases so far as practicable should be made from dealers who pay taxes direct to the tax authorities in order to obtain exemption from the tax, unless (a) other dealers are willing to reduce their prices by the amount of the tax, or (b) Government purchases are by local law or regulation exempted from tax.

4. When a dealer refuses to accept the tax exemption certificate and payment of the tax is required, the certificate will be issued and the dealer will be required to sign it in the space provided therefor. In addition, duplicate receipts will be obtained to support cash payments. The tax exemption certificate and the duplicate receipt will be used in administrative efforts to obtain refund from the taxing authorities of the amount of tax paid. Further instructions regarding the use of tax exemption certificates are contained in General Accounting Office General Regulations No. 86, Revised.

3191. Federal Taxes.-

Excise Taxes.- The Revenue Act of 1932, as amended, imposes a tax on the sale or importation of lubricating oil, gasoline, tires, inner tubes, automobiles, trucks, motorcycles, etc., to be paid by manufacturers, producers, or importers. Provision is made for exemption from the tax, with credit or refund of the amount thereof to the manufacturer, producer, or importer, on sales made for the exclusive use of the Government. When a contractor sells such materials or articles to a Government agency and the amount of the tax is not included in the selling price the procuring officer will furnish the vendor with tax exemption certificate, Standard Form No. 1094, in accordance with General Accounting Office General Regulations No. 86-Revised. If a bid or contract is silent as to excise tax, the amount of the bid shall be considered as including the tax.

The excise tax on electrical energy, telephone and telegraph service is not imposed on such services when furnished for official Government use.

Income Taxes.- In computing income subject to taxes, employees are required to report per diem allowances in lieu of subsistence, mileage, or actual expense reimbursement for use of personally-owned motor vehicles, and all other items included in a reimbursement voucher. If an employee receives as compensation for services rendered a salary and in addition thereto, living quarters, subsistence or other allowance in kind, the value thereof to such employee constitutes income subject to tax. Employees serving abroad who are reimbursed for losses by exchange depreciation, however, are not required to report such reimbursement as income. (114)

3192. State and Local Taxes.- There is no authority in any State, county, municipality or other political subdivision to tax the United States and purchases by the Federal Government are exempt from all taxes imposed by such agencies. No appropriation may be used for the payment of State or other local taxes unless such payment is necessary to secure articles or supplies for official use.

State or local taxes are not chargeable to the Federal Government where the tax is collectible (1) from the consumer, or (2) direct from the dealer who sells to the Federal Government. Tax exemption certificates, Standard Form No. 1094, Revised, should be issued to the vendor covering taxable articles on which tax exemption is granted, issuing a separate certificate for the State or other local tax. If the tax is collected from an agency previously handling the article and the amount thereof is included in its price to the dealer selling to the Department, the Government is not entitled to tax exemption unless exemption is granted by local laws or regulations.

In states having a dealer's tax, purchases so far as practicable should be made from dealers who pay taxes direct to the tax authorities in order to obtain exemption from the tax, unless (a) other dealers are willing to reduce their prices by the amount of the tax, or (b) Government purchases are by local law or regulation exempted from tax.

When a dealer refuses to accept the tax exemption certificate and payment of the tax is required, the certificate will be issued and the dealer will be required to sign it in the space provided therefor. In addition, duplicate receipts will be obtained to support cash payments. The tax exemption certificate and the duplicate receipt will be used in administrative efforts to obtain refund from the taxing authorities of the amount of tax paid. Further instructions regarding the use of tax exemption certificates are contained in General Accounting Office General Regulations No. 86, Revised.

DEPARTMENT OF AGRICULTURE

WASHINGTON

February 15, 1939.

AMENDMENT TO THE REGULATIONS

Amendment No. 87.

There appears on the reverse side of this sheet a revision of regulations 3191, entitled "Federal Taxes," and 3192, entitled "State and Local Taxes."

Revision of regulation 3191 is for the purpose of embodying instructions relative to the use of tax exemption certificates when procurements are obtained without tax.

Revision of regulation 3192 is for the purpose of clarifying the procedure to be followed in cases where exemption from taxes cannot be obtained.

The provisions of these regulations, as revised, are promulgated, effective immediately.

The revision of these items requires no change in the Table of Contents or the Index.

H A Wallace

Secretary.

COMPENSATION

3211. Computation of Salary.- Where the compensation of any person in the service of the United States is based on an annual or monthly rate the following rules for division of time and computation of pay for services rendered are established: Annual compensation shall be divided into twelve equal installments, one of which shall be the pay for each calendar month; and in making payments for a fractional part of a month one thirtieith of one of such installments, or of a monthly compensation shall be the daily rate of pay.

For the purpose of computing such compensation and for computing time for services rendered during a fractional part of a month in connection with annual or monthly compensation, each and every month shall be held to consist of thirty days, without regard to actual number of days in any calendar month, thus excluding the 31st day of any calendar month from the computation and treating February as if it actually had thirty days. (82)

3212. Pay for Fractional Months.- Pay is due for each day of service or of leave of absence with pay. The daily, semimonthly, and monthly salary payments for annual salaries are shown in the following salary tables.

3213. Final Salary Payment.- The final salary payment to an employee on an annual basis who is in an active duty status at the time of separation, or to an employee on a per diem basis who has reported for work on the day of separation, shall include pay for the day of separation from the service by death, resignation, or other termination of appointment. The final salary payment to an employee paid by the hour, or by the job, shall include, as to the day of separation from the service, pay only for the number of hours actually worked, or for job or jobs completed, respectively, on said day of separation. The final salary payment to an employee on leave as provided by the act of March 14, 1936, 49 Stat. 1161, shall include pay for only that portion of the day in which the employee is in such leave status, except that when the termination is due to the employee's death while in such leave status he shall be paid for the entire day on which his death occurs.

Before the final salary payment is made to an employee whose service has been terminated by resignation, etc., it shall be the duty of the responsible officer concerned to determine whether such employee is indebted to the United States for official property, advance of funds, suspensions, disallowances, etc. (See regulation 3113 in regard to the responsibility of the certifying officer for an improper payment made because of an illegal or erroneous certification).

Whenever an employee is indebted to the United States on any account at time of separation, the voucher covering the salary or compensation otherwise due such employee shall not be submitted for payment in the usual manner, but shall be referred to the General Accounting Office for adjustment and settlement. (Section 236, Revised Statutes, as amended by section 305, Budget and Accounting Act of June 10, 1921, 42 Stat. 24). The administrative report submitted with the voucher to the General Accounting Office shall include a statement in regard to the former employee's responsibility for official property, advance of funds, suspensions or disallowances, or other indebtedness to the United States. Vouchers covering salary or compensation due employees who are deceased, shall in every instance be forwarded to the General Accounting Office for adjustment and settlement.

The above procedure shall be followed even though the parties in interest may not have consented to a set-off, and regardless of whether the indebtedness does or does not involve an item for which credit has been disallowed in a disbursing officer's account. (Act of May 26, 1936, 49 Stat. 1374) (47, 79, 249) (See also regulations 3114 and 3233).

DEPARTMENT OF AGRICULTURE

WASHINGTON

November 7, 1938

AMENDMENT TO THE REGULATIONS

Amendment No. 76.

There appears on the reverse side of this sheet a revision of regulation 3213, entitled "Final Salary Payment."

This action is necessitated by the fact that the revision of November 27, 1937, Amendment No. 51, did not prescribe the procedure to be followed in determining the amount of the final salary payment due an employee paid by the hour, or by the job or when employed on a per diem basis.

The provisions of the regulation, as amended, are promulgated effective immediately.

Inasmuch as these items are included in the Table of Contents and the Index, no additions need be made to those sections.

H A Wallace

Secretary.

SCHEDULE OF ANNUAL SALARY RATES

Salary Rates							Classification Grades			
A	B	C	D	E	F	G	CAF	P&S	SP	CU
600	660	720	780	840						1
1080	1140	1200	1260	1320	1380					2
1200	1260	1320	1380	1440	1500					3
1020	1080	1140	1200	1260	1320	1380			1	
1320	1380	1440	1500	1560	1620	1680				4
1260	1320	1380	1440	1500	1560	1620	1		2	
1500	1560	1620	1680	1740	1800	1860				5
1440	1500	1560	1620	1680	1740	1800	2		3	
1680	1740	1800	1860	1920	1980	2040				6
1620	1680	1740	1800	1860	1920	1980	3		4	
1860	1920	1980	2040	2100	2200	2300				7
1800	1860	1920	1980	2040	2100	2160	4		5	
2000	2100	2200	2300	2400	2500	2600	5	1	6	8
2300	2400	2500	2600	2700	2800	2900	6		7	9
2600	2700	2800	2900	3000	3100	3200	7	2	8	10
2900	3000	3100	3200	3300	3400	3500	8			
3200	3300	3400	3500	3600	3700	3800	9	3		
3500	3600	3700	3800	3900	4000	4100	10			
3800	4000	4200	4400	4600			11	4		
4600	4800	5000	5200	5400			12	5		
5600	5800	6000	6200	6400			13	6		
6500	7000	7500					14	7		
8000	8500	9000					15	8		
Over	9000						16	9		

CAF - Clerical, Administrative, and Fiscal Service
P&S - Professional and Scientific Service
SP - Subprofessional Service
CU - Custodial Service

3214. Additional Compensation. Unless specifically authorized by law employees of this Department shall not accept any other Federal salary if the combined annual rate of all salaries received exceeds $2,000. (The pay of officers and enlisted men retired from the Army, Navy, Marine Corps and Coast Guard, and the pay of officers and enlisted men of the organized militia or naval militia of a State, Territory or the District of Columbia are not subject to this limitation.) (See also Regulations 2551-2557.)

An employee whose rate of compensation is $2,500 per annum or more shall not receive compensation from any other position in the Federal Government, except that a retired officer of the Army, Navy, Marine Corps, or Coast Guard may be appointed in this Department by the President by and with the advice and consent of the Senate. A retired enlisted man of the Army, Navy, Marine Corps or Coast Guard, or an officer of such organizations retired for injury or incapacity incurred in line of duty, may be appointed to a position in this Department regardless of the compensation attached thereto, except that a retired commissioned officer (unless retired for disability incurred in combat with an enemy of the United States) appointed to a position in this Department is entitled to retired pay only at a rate which together with his salary will not exceed the rate of $3,000 per annum; if his retired pay amounts to or exceeds the rate of $3,000 per annum, election may be made between such retired pay and the pay of the civilian position.

Unless specifically authorized by law, no employee of this Department shall be paid additional salary for extra work of any kind in any bureau, division, or other subdivision of the Department of Agriculture, nor shall any civilian retired for age be appointed to any position in this Department. (1, 26, 54, 61, 62, 63, 66, 67, 68, 176, 513).

DEPARTMENT OF AGRICULTURE

WASHINGTON

August 5, 1940.

AMENDMENT TO THE REGULATIONS

Amendment No. 104

The revision of Regulation 3214 entitled "Additional Compensation" which appears on the reverse side of this sheet is promulgated effective immediately. The following changes have been made:

1. The parenthetical statement in the first paragraph of the Regulation has been corrected.

2. The second paragraph has been amended to include retired officers of the Marine Corps and Coast Guard in accordance with the Act of June 25, 1938 (52 Stat. 1194).

No changes in the Table of Contents and in the Index are required.

Claude R. Wickard

Acting Secretary.

UNITED STATES DEPARTMENT OF AGRICULTURE
Office of the Secretary
Washington 25, D. C.

October 11, 1945

AMENDMENT NO. 214 TO THE REGULATIONS OF THE DEPARTMENT

The attached revision of Regulation 3213 is effective immediately. The principal changes which have been made are as follows:

Final salary is defined (paragraph 1).

References to final salary payment to an employee on leave (paragraph 2) and to disbursing officer's account (paragraph 4) have been deleted.

Charles F. Brannan
Assistant Secretary

Compensation

3213. Final Salary Payment.

1. * Final salary is considered to be all monies due for services or leave at the time an employee is separated from the service. *

2. The final salary payment to an employee on an annual basis who is in an active duty status at the time of separation, or to an employee on a per diem basis who has reported for work on the day of separation, shall include pay for the day of separation from the service by death, resignation, or other termination of appointment. The final salary payment to an employee paid by the hour, or by the job, shall include, as to the day of separation from the service, pay only for the number of hours actually worked, or for the job or jobs completed, respectively, on said day of separation. ***

3. Before the final salary payment is made to an employee whose service has been terminated by resignation, etc., it shall be the duty of the responsible officer concerned to determine, * by certification of employees maintaining the related records or otherwise, whether such employee is indebted to the United States for official property, advance of funds, suspensions, disallowances, etc. *

4. Whenever an employee is indebted to the United States on any account at the time of separation, the voucher covering the salary or compensation otherwise due such employee shall not be submitted for payment in the usual manner, but shall be referred to the General Accounting Office for adjustment and settlement. (* U. S. C. 71; * Section 236, Revised Statutes, as amended by section 305, Budget and Accounting Act of June 10, 1921, 42 Stat. 24.) The administrative report submitted with the voucher to the General Accounting Office shall include a statement in regard to the former employee's responsibility for official property, advance of funds, suspensions or disallowances, or other indebtedness to the United States. Vouchers covering salary or compensation due employees who are deceased shall in every instance be forwarded to the General Accounting Office for adjustment and settlement. * This procedure shall be followed whether or not the parties in interest have consented to a set-off, and regardless of whether the indebtedness does or does not involve an item for which credit has been disallowed. (47, 79, 115-2, 249.) (See also Regulations 3114 and 3233.) *

3215. Compensation of Part-time Employees. The basis on which part-time employees should be paid is the compensation for full-time employees in a position with similar duties and responsibilities. The compensation should be fixed at a rate having the same relation to the rate fixed by the classification act for full-time in a similar position which the time given to the Department bears to the time served by a full-time employee.

3216. Deductions for Leave without Pay. Pay deductions shall be made for each day of absence or fraction thereof charged as leave without pay in accordance with Regulation 2561. If salary is on an annual or monthly basis, 3 days' pay for February 28 (non-leap years) and 2 days' pay for February 29 shall be deducted. Where an employee reports for duty on these days after the opening hour and remains until the closing hour deductions shall be made for the actual time the employee is absent except that 15 minutes shall be the minimum charge and additional absence shall be charged in like multiples. Where the employee reports for duty at the opening hour, but leaves before the closing hour on these days, deductions shall be made for the actual period of absence (in multiples of 15 minutes) and in addition thereto, 2 days' pay if the absence is on February 28 (non-leap years) and 1 day's pay if the absence is on February 29 shall be deducted. The 30th and 31st days of a thirty-one day month are counted as one day in computing leave without pay. For leave of absence without pay on the 31st day of the month, however, the day's pay is forfeited.

3217. Pay for Sundays and Holidays. Employees whose compensation is on a daily or hourly basis (including bona fide per diem employees) shall be paid for Sundays, only if service is performed.

Permanent bona fide per diem employees who are in a pay status (on duty or leave with pay) immediately before and after January 1, February 22, May 30, July 4, Labor Day, November 11, Thanksgiving, and Christmas shall be paid for, without working on, such statutory holidays.

Regular employees whose compensation is fixed at a rate per day, per hour, or on a piece-work basis shall receive the same pay for any day on which the departments and establishments of the Government are closed by Executive Order, as for other days on which an ordinary day's work is performed.

Payrolls covering the service of daily, hourly, or bona fide per diem employees on Sundays and holidays must indicate that such service was required.

All other employees shall be paid for Sundays and holidays if in a pay status (see also Regulation 2521).

If the date of a holiday falls on a Sunday, the holiday is the succeeding Monday.

Except as otherwise provided herein, an employee is in a pay status on those Sundays and holidays which (a) intervene between days of official duty, (b) immediately precede or follow annual leave or sick leave, (c) immediately precede leave without pay, and (d) immediately follow termination of a definite period of leave without pay administratively granted in advance, provided the employee returns to duty the day following such Sunday or holiday (See Regulation 2561).

An employee is not in a pay status on those Sundays and holidays which immediately follow an indefinite period of leave without pay.

DEPARTMENT OF AGRICULTURE

WASHINGTON

September 22, 1938

AMENDMENT TO THE REGULATIONS

Amendment No. 72

A revision of regulations 3216 and 3217, entitled "Deductions for Leave without Pay" and "Pay for Sundays and Holidays", respectively, appears on the reverse side of this sheet.

The primary reason for revising regulation 3216 is to have its provisions comply with those in Executive Orders 7409 and 7410 of July 9, 1936. Regulation 3217 is being revised for the reason that such regulation did not take into consideration the fact that Public No. 510, 75th Congress, 3rd Session, approved May 13, 1938, makes the 11th day of November in each year a legal holiday, and that Public Resolution No. 127, 75th Congress, 3rd Session, approved June 29, 1938, provides for compensation for certain employees on any day on which the departments and establishments of the Government are closed by Executive order.

The provisions of the regulations, as revised, are promulgated effective immediately.

Inasmuch as these subjects have been included in the Table of Contents and the Index, no additions need be made to these sections.

H A Wallace

Secretary.

November 12, 1940

AMENDMENT TO THE REGULATIONS

Amendment No. 108

A revision of Regulation 3217 entitled "Pay for Sundays and Holidays" appears on the reverse side of this sheet and is promulgated effective as of March 2, 1940.

The Regulation has been revised in accordance with Executive Order No. 8385 of March 29, 1940, to allow pay for a Sunday or holiday immediately following a period of sick leave and preceding a period of leave without pay.

This revision does not require any change in the Table of Contents or Index.

Paul H. Appleby

Acting Secretary.

PAYMENT FOR SERVICES

3221. *Names on Pay Rolls. Pay rolls shall show a given name, additional initials or names, if any, and surname of each officer or employee entitled to payment. However, if an officer or employee, such as a married woman or a legally adopted person, uses a former legal name for practically all purposes, such name may, with the approval of a responsible bureau administrative officer, be used on the pay roll in lieu of such person's current legal name. A change may not be made in the name used on the pay roll until a corresponding change has been made in the personnel records.*

3222. *Personal Services at the Seat of Government. Payment for personal services performed at the seat of Government may be made only as specifically authorized by law. (43, 45, 46, 147)*

3223. Reimbursement of Loss by Exchange. Under the provisions of an act approved March 26, 1934 (48 Stat. 466), authorization was made for reimbursement of losses sustained by employees serving in foreign countries due to the appreciation of foreign currencies in their relation to the American dollar. Detailed instructions covering the procedure to be followed in claiming reimbursement are contained in Budget and Finance circulars. (114)

3224. Expenses Incident to Reporting for Work. All persons receiving original appointment in the Department, whether permanent or temporary, are required to report to their first permanent duty station at their own expense. If duty is performed at a temporary station prior to arrival at the permanent post the appointee is chargeable with the cost of a direct trip to the permanent post from his point of departure to assume first duty but may be paid any extra transportation and subsistence expenses caused by such temporary duty enroute.

3225. Mechanical Services, Equipment, and Supplies in the District of Columbia. (Canceled June 24, 1943, by Amendment 166. See Regulations 1838 and 4117.)

PAYMENT FOR SERVICES

3221. Pay Roll Vouchers.- Pay rolls and individual vouchers provide for oaths required by law to be sworn to as a condition precedent to receiving salary payments. A pay check should never be delivered or mailed to a payee unless and until he subscribes to the oath of office, if an oath of office is required. (11) (See Paragraphs 2128 and 2157.)

When a woman employee marries, her legal surname becomes that of her husband, and such surname must be used by her in signing the pay roll instead of her maiden name.

No amount may be included on a pay roll except for personal services unless the purpose and amount are specifically described.

3222. Personal Services in the District of Columbia.- The employment of personal services in the District of Columbia is prohibited unless specifically authorized by law. (45, 46)

3223. Reimbursement of Loss by Exchange.- Under the provisions of an act approved March 26, 1934 (c. 87, 48 Stat. 466), authorization was made for reimbursement of losses sustained by employees serving in foreign countries due to the appreciation of foreign currencies in their relation to the American dollar. Detailed instructions covering the procedure to be followed in claiming reimbursement are contained in budget and finance circulars. (114)

3224. Expenses Incident to Reporting for Work.- All persons receiving original appointment in the Department, whether permanent or temporary, are required to report to their first permanent duty station at their own expense. If duty is performed at a temporary station prior to arrival at the permanent post the appointee is chargeable with the cost of a

direct trip to the permanent post from his point of departure to assume first duty but may be paid any extra transportation and subsistence expenses caused by such temporary duty enroute.

3225. Mechanical Services, Equipment and Supplies in the District of Columbia.- Such services, equipment, or supplies as are obtained from the Mechanical Shops of the Department of Interior attached to the Department of Agriculture, and the Motor Transport Service of the Department of Agriculture, will be billed periodically to the requisitioning bureaus on the voucher forms prescribed for that purpose. (162) (See also Paragraph 1837.)

DEPARTMENT OF AGRICULTURE

WASHINGTON

May 8, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 28.

The amendment appearing on the reverse side of this sheet was made necessary by an error in paragraph 3225, stating that servicing of motor vehicles "shall be obtained through the Mechanical Shops of the Department of Interior." Such services are rendered by the Motor Transport Service of the Department of Agriculture. The error has been corrected by changing the heading of paragraph 1838 of these Regulations to "Motor Transport Service" and by an additional paragraph, 4117, "Mechanical Shops."

Paragraph 3225 as amended herewith has been rearranged for the information of fiscal officers to show that charges may be made for mechanical services, equipment, or supplies and that reimbursement will be made by requisitioning bureaus.

This amendment is promulgated effective immediately.

No changes in the Table of Contents or Index will be necessary.

H A Wallace

Secretary.

ASSIGNMENTS AND ATTACHMENTS

3231. Salary Assignments.- Although authorized by law, for administrative reasons employees paid by disbursing officers of the Treasury Department are not now permitted to assign their salaries. (148)

A power of attorney may be executed by an employee or other creditor of the United States, empowering another person to collect moneys due such employee or creditor. The use of Treasury Department Forms No. 6570, Power of Attorney by Individual for the Collection of a Specified Check; No. 6569, Power of Attorney by Individual for the Collection of Checks; No. 6573, Power of Attorney by a Corporation for the Collection of a Specified Check; and No. 6571, Power of Attorney by a Corporation for the Collection of Checks Drawn on the Treasurer of the United States, are required. Under no circumstances will any salary assignment be honored by a disbursing officer if for value received, or as security for a loan, or when made payable to loan brokers or companies or agents thereof.

3232. Deductions, Garnishments, Attachments, Etc.- No deduction shall be made from amounts due employees or other creditors except for payment of amounts legally due the United States. Trustee processes, garnishments, or attachments shall not be recognized by any employee of the Department with respect to moneys due employees or other creditors of the United States. (1677)

3233. Withholding Compensation Due Employees.- Whenever upon the statement of the account of any disbursing officer of the United States in the General Accounting Office credit shall have been disallowed for any payment to any employee otherwise entitled to compensation, such compensation of the payee may be withheld until full reimbursement has been accomplished. (Public No. 618, 74th Congress, approved May 26, 1936.)

DEPARTMENT OF AGRICULTURE

WASHINGTON

February 27, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 18.

In accordance with Public No. 618, 74th Congress, approved May 26, 1936, entitled "An Act to Authorize Withholding Compensation Due Government Personnel," providing that compensation may be withheld from any person in the executive branch of the Government otherwise entitled to compensation, under such regulations as may be prescribed by the head of the department, the Regulations of the Department are amended by the addition of paragraph 3233 which appears on the reverse side of this sheet.

This amendment is promulgated effective immediately and all copies of the Regulations should be revised accordingly.

The following additions should be made to the Table of Contents and the Index:

To the Table of Contents:

"3233. Withholding Compensation Due Employees"

To the Index:

"Compensation, withholding - - - - - - 3233
Employees, withholding compensation of - - - - - - - - - - - - - - - - - 3233
Pay, withholding of - - - - - - - - - - 3233
Salary, withholding of - - - - - - - - 3233
Withholding compensation of employees 3233."

H A Wallace

Secretary.

When it becomes necessary to apply the provisions of this act, after other means to secure refund from an employee have failed, the procedure will be as follows:

The accounting office of the bureau in whose accounts the disallowance has been made will prepare a letter addressed to the director of finance and approved by the bureau chief, containing the following:

(a) a full explanation of the disallowance, name of the disbursing officer in whose accounts the disallowance has been made, his voucher number date of payment, amount of disallowance, and symbo title, and fiscal year of the appropriation to be credited;

(b) a statement of the efforts made to secure refund of the amount disallowed and, if known, the employee's reason for refusing to make repayment;

(c) a recommendation that payments otherwise due the employee be withheld in full, or in part (indicating the amounts to be withheld), until the disallowance is settled;

(d) if the disallowance has been made on account of an overpayment of salary, which has cause an over-deposit to the Civil Service Retirement an Disability Fund, a statement as to what action wil be taken to adjust the over-deposit made to that fund, in accordance with paragraph 5 of General Re ulations No. 54, Supplement No. 3, Office of the Comptroller General, dated July 27, 1931.

If the employee from whose compensation deduc tions are to be made is no longer employed in the bureau concerned but is employed in another bureau of this Department, the letter should be submitted to the chief of that bureau for concurrence before being transmitted to the director of finance.

Assignments and Attachments

3233 (cont.)

After approval of the recommendation by the Director of Finance, the bureau which is to make the collections will be notified by him to that effect and will proceed to collect the disallowed amount by "voucher deductions" from compensation due the employee by the use of Standard Form No. 1096, in the manner prescribed by paragraphs 9 to 13, inclusive, of General Regulations No. 87, Office of the Comptroller General, dated June 25, 1936.

In the case of a former employee who is working in another Government agency, and who has failed to refund the amount of a disallowance made in the accounts of a bureau of this Department, a letter will be prepared by the bureau, addressed to the head of the agency concerned, for the signature of the Secretary, containing the information called for in sub-paragraphs (a), (b), and (d), above, and requesting that action be taken to secure refund in accordance with the provisions of the Act of May 26, 1936, Public No. 618, 74th Congress.

Any request received from another Government agency to withhold the compensation of an employee of this Department should be transmitted to the Director of Finance by letter from the bureau in which the employee is paid, with the recommendation and information called for in sub-paragraphs (a), (b), and (c), above. If a request from another agency does not contain the information required by sub-paragraphs (a) and (b), the bureau will obtain it from the agency concerned before preparing the letter of transmittal.

No action shall be taken under the provisions of this act to withhold any compensation of an employee until after approval by the Director of Finance.

The requesting agency will be notified by the Director of Finance of the action taken upon its request. (See also Regulation 3213.)

[illegible] 1 [illegible] Amendment No. [illegible]

Amendment and Interpretation

[illegible] (cont.)

[illegible]

In the case of a former employee who is working in another Government agency, and who has failed to refund the amount of a disallowance made in the accounts of a bureau of this Department, a letter will be prepared by the Bureau addressed to the head of the agency concerned, for the signature of the Secretary, asking the Subcommittee [illegible] for in subparagraphs (a), (b), and (d), above, and requesting that which may be taken to secure refund in accordance with the provisions of the Act of May 20, 1958, Public Law 313, 85th Congress.

Any request resulting from another Government agency to withhold the accreditation of an employee of this Department should be transmitted to the Director of Finance by letter from the bureau in which the employee is held, with the recommendation and information called for in subparagraphs (a), (b), and (c), above. If a request from another agency does not contain the information required by subparagraphs (a) and (b), the bureau will obtain it from the agency concerned before preparing the letter of transmittal.

No action shall be taken under the provisions of this act to withhold the accreditation of an employee until after approval by the Director of Finance.

The regulating agency will be notified by the Director of Finance of the action taken upon its request. (See also Regulation [illegible])

After approval of the recommendation by the director of finance, the bureau which is to make the collections will be notified by him to that effect and will proceed to collect the disallowed amount by "voucher deductions" from compensation due the employee by the use of Standard Form No. 1096, in the manner prescribed by paragraphs 9 to 13, inclusive, of General Regulations No. 87, Office of the Comptroller General, dated June 25, 1936.

In the case of a former employee who is working in another Government agency, and who has failed to refund the amount of a disallowance made in the accounts of a bureau of this Department, a letter will be prepared by the bureau, addressed to the head of the agency concerned, for the signature of the Secretary, containing the information called for in sub-paragraphs (a), (b), and (d), above, and requesting that action be taken to secure refund in accordance with the provisions of the Act of May 26, 1936, Public No. 618, 74th Congress.

Any request received from another Government agency to withhold the compensation of an employee of this Department should be transmitted to the director of finance by letter from the bureau in which the employee is paid, with the recommendation and information called for in sub-paragraphs (a), (b), and (c), above. If a request from another agency does not contain the information required by sub-paragraphs (a) and (b), the bureau will obtain it from the agency concerned before preparing the letter of transmittal.

No action shall be taken under the provisions of this act to withhold any compensation of an employee until after approval by the director of finance.

The requesting agency will be notified by the director of finance of the action taken upon its request. (See also Paragraph 3213.)

CONTRACTS

3311. Form of Contracts.- Except as provided by law, all purchases and contracts exceeding $50 for supplies or services, except for personal services, shall be made by advertising a sufficient time previously for proposals respecting the same, when the public exigencies do not require the immediate delivery of the articles or performance of the services. The fact that there is no competition for a purchase shall, if practicable, be established conclusively by the actual solicitation of proposals and not based upon an assumption. No contract or purchase shall be made unless the same is authorized by law or is under an appropriation adequate to its fulfillment. Contract purchases shall be made jointly under contracts entered into by authorized contracting officers of the United States. (1883, 1884)

The forms standardized by the Director of the Bureau of the Budget for contracts and bids should be used exclusively where applicable and their terms and instructions studied and observed. No changes may be made except upon prior approval of the Director.

3312. Preparation and Execution.- The solicitor of the Department or such of his field assistants as he may designate for the purpose shall prepare all formal contracts. The Secretary will sign all formal contracts. But leases of an annual value of $500 or less may be executed by chiefs of bureaus or such supervisory field officers of their bureaus as the chief may designate for that purpose; and such supervisory field officers may prepare the leases which they are to execute. A copy of each lease should be sent for file to the real estate officer of the Department.

Two originals should be regularly executed. If the execution of more original-duplicates is desired by the bureau, the reason therefor should be stated when the instruments are forwarded to the Secretary for signature. (See Paragraph 1712.)

3313. Statement and Certificate of Award.- Statement and Certificate of Award (Standard Form No. 1036) shall be used to support all agreements, both formal contracts and less formal agreements, except public utility contracts, involving the expenditure or receipt of public funds. The purpose of this form is to establish the fact of compliance with law and good business administration in respect to advertising, securing competition, acceptance of the bid of the lowest bidder as to price (expenditure) or highest bidder as to price (receipt) and execution of a lawful agreement. This form must be executed and signed by the contracting officer who signs the agreement to which it is attached.

3314. Filing of Contracts.- As is provided in the chapter on Accounts, where the contract consists of a bid and acceptance only, the accepted bid should accompany the voucher to the General Accounting Office, where the amount involved is less than $1,000 and but one payment is to be made; in all other cases (whether an accepted bid or a formal contract executed by the Secretary) the contract will be forwarded immediately to the General Accounting Office. A second original should be furnished the contractor. The bureau should retain at least one copy. (1888) (See also Paragraph 3117.)

3315. Mailing of Contracts.- Instruments mailed to contractors for execution and notices to begin work thereunder should be registered and the receipts retained so long as there is the possibility that the fact or date of their receipt may be contested.

3316. Interest of Members of Congress.- In every contract or agreement to be made or entered into, or accepted by or on behalf of the United States, there shall be inserted an express condition that no Member of or Delegate to Congress shall be admitted to any share or part of such contract or agreement, or to any benefit to arise therefrom. (1283, 1284, 1890)

3317. Personal Interest in Contracts.- No officer or employee of the Department who is in a position either to influence the award of a contract with the Department or to cause purchases of supplies to be made for the Department, shall be interested in any firm, company, or corporation doing business with the Department unless such interest shall be disclosed in writing and approved by the chief of bureau in advance of the award of any contracts by such officer or employee. (See also Paragraph 1541.)

3318. Contracts Covering Use of Equipment or Property Loaned or Rented to the Department.- Contracts may be executed for the maintenance of equipment or property loaned without charge or rented to the Government, during its continued use. The terms of such contracts shall provide that the expenditure for maintenance shall not exceed the value of the equipment or property and may provide for the return of the equipment or property in as good condition, ordinary wear and tear excepted, as when received. However, public funds are not available for repairs to loaned or rented equipment or property after such use is terminated, for the purpose of returning the equipment or property in good condition.

DEPARTMENT OF AGRICULTURE

WASHINGTON

July 23, 1938

AMENDMENT TO THE REGULATIONS

Amendment No. 63.

There appears on the reverse side of this sheet an addition to the Regulations of the Department, which has been designated as regulation 3318, and entitled "Contracts Covering Use of Equipment or Property Loaned or Rented to the Department."

A previous regulation, numbered 3318 and entitled "Contracts Covering Use of Equipment or Property Loaned to Government Without Charge," was rescinded under date of June 17, 1937, Amendment No. 31, for the reason that at the time there was doubt whether in the absence of specific legislative authority reimbursement could be made for damage or destruction of property loaned "without charge" to the Government. After further consideration it has been determined that if an appropriation is available for the rental of equipment, it is likewise available for the maintenance of equipment or property loaned or rented to the Department.

This regulation is promulgated effective immediately.

All copies of the Regulations should be modified by the addition of the title of this regulation in the appropriate place in the Table of Contents and the following items to the Index:

"Equipment, maintenance of when loaned or rented to Department - - - - - - - - - - - - - 3318
Payment for maintenance of equipment or property loaned or rented to Department- - - 3318
Property, maintenance of when loaned or rented to Department - - - - - - - - - - - - - - 3318"

M. L. Wilson

Acting Secretary.

3319. Liquidated Damages.- Whenever bids are invited for the performance of work or the furnishing of services or supplies in connection with which time is an essential element, and failure to complete the work, or furnish the services or supplies within the required time, will result in substantial damage to the United States, the specifications should include a stipulation that the bidder, if awarded the contract, shall pay to the Government without the showing of actual damage, a reasonable stated amount for each calendar day's delay, as fixed and agreed liquidated damages. Liquidated damages for delays wholly disproportionate to the probable actual damage involved and not primarily established as a measure of compensation should not be specified.

Contract specifications may properly provide, if service needs are urgent, that bids will be evaluated on the basis required for delivery of supplies, rendition of services, or completion of work in excess of a reasonable period specified, with a comparable provision for liquidated damages in case of delay, but in no case should it be provided that bids will be rejected if specifying a period of delivery or completion longer than that stated in the specifications unless it can be clearly established that the need is such the Government's interest will not be protected by an evaluation of the bids over a longer period.

A stipulation shall be inserted for liquidated damages for delay in all contracts in excess of $2,000 in amount entered into with the Department for the construction or repair of any building or public work under the control of the Department.

Where deemed necessary, liquidated damages for delays in delivery should be provided for in contracts for articles, materials, supplies or equipment, but, in such cases, if the damages due to delivery delays will be reduced in proportion to partial deliveries, the stipulation should be on the

DEPARTMENT OF AGRICULTURE

WASHINGTON

November 18, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 50.

Paragraph 3319, entitled "Liquidated Damages and Time of Delivery", is amended, effective immediately, as appears on the reverse side of this sheet. This regulation has been expanded so as to give a more comprehensive account of the subject.

The following change in the title of the paragraph should be made in the Table of Contents:

"3319. Liquidated Damages."

H A Wallace

Secretary.

basis of an appropriate percentage of the contract price of any undelivered supplies for each calendar day of delay after the delivery date fixed in the contract.

There is no legal authority for remission of the accrued liquidated damages unless the delay was due to causes excusable under the terms of the contract, and whenever the remission of liquidated damages is for consideration the case, supported by the administrative finding of fact, is for reference to the General Accounting Office for examination and settlement. (For detailed instructions as to procedure in case of failure of a contractor to prosecute work under a contract providing for payment of liquidated damages, see U. S. Standard Forms [of contract], Nos. 23 and 32, revised September 9, 1935, and June 18, 1935, respectively.)

BIDS

3321. Specifications.- Federal specifications must be used and Simplified Practice recommendations should be complied with whenever practicable. Specifications must state accurately and describe adequately and impartially the article required. If for administrative reasons a Federal specification can not be used to meet a particular or essential need, a special purchase specification may be used but such specification shall include all applicable provisions of the Federal specifications and in those cases where the purchases exceed $1,000 a report shall be made through the division of purchase, sales, and traffic to the Procurement Division, Branch of Supply, Treasury Department, showing the necessity for deviation from the Federal specification. Appropriated moneys of the United States may not lawfully be charged with payments under a contract awarded upon specifications so narrowly drawn as to eliminate real competition as contemplated by section 3709 Revised Statutes. A manufacturer's or trade name with the words "or equal" added may be used only in a case where the needs of the Government are of such an unusual character that difficulty arises in describing or specifying what is needed, and there is a make of article embodying the minimum requirements, and then only for the purpose of indicating to prospective bidders the general type of article required, but not for the purpose of eliminating or restricting competition, or gratifying a preference for the particular product named. Specifications must state fully all service requirements.

3322. Advertising.- To give to all an equal right and opportunity to compete for Government business, secure to the Government the full benefit of competition and prevent favoritism and eliminate fraud in public purchases, advertising for proposals for contracts to be made by the Department is required under the provisions of Section 3709 of the Revised Statutes as amended

by the act of March 1, 1899 (30 Stat. 957). Advertising that gives reasonable publicity to the needs of the Department and results in obtaining the benefit of all available competition under the circumstances of the particular case generally will be regarded as compliance with the statutes.

Advertising is not required where the aggregate amount involved is not in excess of $50, or where it could not, from the nature of the article or service, result in competition, or where it would be plainly ineffective to reduce expenses. Illustrations of such conditions are as follows:

> The articles wanted are patented or copyrighted and not on sale by dealers but by the owners of the patent or copyright or their agents or assigns at a fixed and uniform price.
>
> There is only one dealer within a practicable distance from whom the articles can be obtained.
>
> Prices or rates are fixed by legislation either Federal, State, or municipal, or by competent regulation.
>
> Previous advertising for the identical purchase has produced no proposals or only such as were unreasonable, and under circumstances indicating the futility of further advertising.

Advertising may also be dispensed with and the purchase made in the open market where an emergency of the service existing prior to the order will not admit of the delay incident thereto.

An advertisement for proposals for contracts exceeding $50 but below $5000 need not be by publication in the newspapers, but may be by

oral solicitation of prices from a reasonable number of dealers, by circular letter to all firms and individuals known or believed to be in a position to quote in accordance with the requirements of the specifications, by the posting of notices or handbills in public places, such as post offices, or by other usually followed and effective methods jointly with either of above methods. All requests for proposals shall be outstanding a sufficient length of time to insure adequate consideration.

Advertising for proposals for contracts involving the expenditure of $5000 or more shall include advertisement by newspapers. In specific instances newspaper advertising may be waived by the chief of the division of purchase, sales, and traffic on bureau recommendation supported by adequate reasons therefor.

Advertisements may properly limit competition to manufacturers of or dealers in such articles or services who are competent to furnish such articles or services of the particular character required. An invitation to bid sent on the initiative of the Department to a person or corporation is prima facia evidence that the Department considers the prospective bidder responsible and competent. If a low bid is to be rejected because there is belief that the bidder is not competent to furnish the articles or services required, the administrative statement of reasons should be submitted to the chief of the division of purchase, sales, and traffic for transmission to the General Accounting Office, for consideration in advance of awarding the contract. (1872)

3323. Publication of Advertisements.- Chiefs of bureaus; regional foresters and forest supervisors, Forest Service; district engineers of the Bureau of Public Roads; regional conservators,

Soil Conservation Service; and directors of experiment stations outside the continental limits of the United States are authorized to order the publication of advertisements and notices in newspapers or trade journals, either directly by transmittal to the publisher of the standard form of advertising order approved by the Comptroller General or by written publication in named newspapers or trade journals. In the latter form of authorization, specification of the advertising medium is essential. (2009, 2010, 2011, 2012)

3324. Bids.- A bid may be withdrawn at any time prior to the time of opening. After bids are opened, withdrawal of a bid will not be permitted. Claims that mistakes have been made in bidding must be submitted to the Comptroller General for determination. In such cases, the low bidder shall not be permitted to withdraw its bid upon the allegation of error, but the contracting officer should transmit to the office of the Comptroller General a copy of the advertisement, proposal, etc., accompanied by evidence of the alleged error, and a statement from the low bidder as to how it occurred. The Comptroller General will then determine whether or not a mistake was made.

Awards under bids are to be made item by item unless otherwise specified by bidder or where it is clearly to the advantage of the Government to accept the lowest aggregate bid meeting the specifications. In making an award on this form of bid, the lowest quotation in the aggregate must be considered in competition with a total of the lowest quotations by items with freight and other elements of costs considered. (See also Paragraph 3348.)

Request for telegraphic bids should not be made except under emergency conditions. It should rarely be necessary for any bureau to request

telegraphic bids. In cases where telegraphic bids are not requested, the advertisement should provide that telegraphic bids will not be accepted.

A determination of award where discounts are offered in bids is a matter for decision by the purchasing officer. If, by reason of the discount offered, a bid is low and there appears, in the judgment of the purchasing officer, reasonable certainty that the performance of the necessary administrative duties in connection with receipt, inspection, payment, and practicability of accomplishment, the bid should be accepted; if not, the bid should not be regarded as low.

In making the contract to the lowest bidder, the contracting officer shall not modify the terms of his specification in regard to the time of delivery or any other material element. No modifications of the bid shall be permitted after the opening, and no negotiations shall be conducted by the Department with a bidder who modifies or changes a bid.

While the Government may not force the bidder to accept the award under terms different from those contained in his bid, modifications may, after award, be made with bidder's consent, and the changes mutually agreed upon may be embodied in the contract.

Prices must be requested f.o.b. bidder's shipping point as well as destination.

When an effort has been made to obtain competition and only one bid is received and, in the judgment of the purchasing officer, it is considered reasonable, it may be accepted. A detailed explanation must be submitted in every such instance, however.

When early delivery of supplies, materials, or equipment is an essential requirement the specifications should clearly state such requirements and that time of delivery will be a factor in making award. The specifications should include a provision for the bidder to state the number of calendar days that he will require to make delivery after notice to proceed. (1878)

TYPES OF PURCHASES

3331. Purchases Amounting to $50 or Less. Where the amount to be expended for a purchase or service is $50 or less competition and advertising are not necessary. Purchases should not be split to bring them within this exemption nor should competitive term or definite quantity contracts be avoided to permit piecemeal purchases of less than $50. Services or purchases of a continuous nature amounting to $50 or less for a year should be covered by a written agreement or memorandum thereof, to be numbered and filed in the General Accounting Office. The authority to purchase in open market should not be construed to dispense with reasonable price inquiry among possible competitors. (1873)

3332. Emergency Open-Market Purchases. When the public exigencies require the immediate delivery of articles or performance of services, the articles or services required may be procured in the open market in the manner in which such articles are usually bought and sold or such services engaged between individuals. An "exigency" is a sudden or unexpected happening; an unforeseen occurrence or condition; a perplexing contingency or complication of circumstance; a sudden or unexpected occasion for action. When purchases of $50 or more are made under the "exigency" provision, written evidence of the agreement should be attached to the voucher in addition to the exigency statement.

3333. Cash Purchases

1. In Emergencies. In order to meet public exigencies or urgent requirements which cannot be satisfied through usual procedure, employees may procure necessary supplies, equipment or services through the cash expenditure of personal funds. Each covering reimbursement voucher must be sworn to and be supported by:

a. A signed receipt if the cash purchases from any one dealer at any one time exceed $1.00. (When administratively desirable, bureaus may require a receipt for purchases amounting to $1.00 or less.)

b. A statement of the circumstances which necessitated cash procurement if the aggregate amount from any one dealer at any one time exceeds $5.00.

2. In Enforcement of Regulatory Laws. An employee engaged in the enforcement of regulatory laws may make cash purchases without obtaining receipts when such authority is properly provided in his letter of authorization.

3. By Employees in Travel Status. The Standardized Government Travel Regulations as amended govern cash purchases made by employees in travel status.

DEPARTMENT OF AGRICULTURE

Washington

December 21, 1940

AMENDMENT TO THE REGULATIONS

Amendment No. 115

There appears on the reverse side of this sheet a revision of Regulation 3333, "Cash Purchases," which supersedes Amendment No. 100, dated March 23, 1940, and is promulgated effective immediately.

The Regulation as amended makes the following changes:

1. A receipt is no longer required if the amount of the purchase from any one dealer at any one time is $1.00 or less.

2. An explanation of the circumstances necessitating cash procurement need not be furnished if the aggregate amount of the purchase is $5.00 or less.

3. Authority for an employee engaged in enforcement work to make cash purchases without obtaining receipts should be included in his letter of authorization in order to eliminate explanatory statements on reimbursement vouchers.

Grover B. Hill

Acting Secretary.

RESTRICTIONS UPON PURCHASES

3341. Purchases of Foreign Materials.- Only articles, materials, or supplies mined, produced, or manufactured in the United States are to be purchased unless the Secretary of Agriculture (insofar as contractual obligations of the Department are concerned) or the Secretary of the Treasury (as to contracts under the General Schedule of Supplies) shall determine (personally, or under an assignment of authority as indicated hereunder) as follows:

(1) that the purchase of domestic articles in the particular instance would be inconsistent with the public interest; or

(2) that the cost of such domestic articles would be unreasonable; or

(3) that the articles, or the materials from which they are manufactured, are not mined, produced, or manufactured, as the case may be, in the United States in sufficient and reasonably available commercial quantities and of a satisfactory quality.

The determinations required under numbered sub-paragraphs (1) and (2) must be made by the head of the Department personally. A general determination already made under sub-paragraph (2) will be found in paragraph 10 of Budget and Finance Circular No. 2, Revised, dated April 24, 1936. Determinations under sub-paragraph (3) may be made by subordinates to whom that duty has been assigned by the Secretary.

Whenever articles, materials, or supplies of other than domestic origin are purchased, an appropriate certificate or certificates must accompany each voucher to the General Accounting Office. Detailed information as to content of such certificates is to be found in Budget and Finance Circulars.

Books, periodicals, magazines, newspapers, and the printing of briefs are not subject to the provisions of Title III of the Act of March 3, 1933, restricting the purchase of materials of foreign origin. (1880, 1881)

3342. Purchases of Articles of a Personal Nature.- In the absence of specific statutory authority articles of personal equipment shall not be purchased from an appropriation of the Department unless the object

DEPARTMENT OF AGRICULTURE

WASHINGTON

November 6, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 49.

There appears on the reverse side of this sheet a revision of paragraph 3341, entitled "Purchases of Domestic Materials."

The revision of paragraph 3341 was necessitated by the fact that the Acting Comptroller General of the United States in decision of March 6, 1936, 15 C. G. 763, definitely established the procedure in regard to making determination under the Act of March 3, 1933, 47 Stat. 1520, and the paragraph in its present form is not in accordance with this decision.

The provisions of this paragraph, as revised, are promulgated effective immediately.

As the paragraph pertains principally to the conditions under which articles, materials, or supplies not mined, produced, or manufactured in the United States may be purchased, the title of same is being changed to read "Purchases of Foreign Materials." The Table of Contents should be corrected accordingly. In addition, the following changes should be made in the Index:

Cancel:
"Domestic material, purchase of - - - - 3341"

Add:
"Foreign material, purchase of - - - - 3341
Materials, foreign, purchase of - - - 3341
Secretary
determination by, purchase of foreign materials - - - - - - - - - - 3341
Vouchers
certificate accompanying, foreign materials - - - - - - - - - - - - - 3341"

H A Wallace

Secretary.

for which the appropriation involved was made cannot be accomplished as expeditiously and satisfactorily from the Government standpoint, without such equipment, and unless the equipment is such as the employee could not reasonably be required to furnish as a part of the personal equipment necessary to enable him to perform the regular duties of the position to which he was appointed or for which his services were engaged.

3343. General Schedule of Supplies.- Except as to items carried in the Department's Central Supply Stock, all items of supply and equipment listed in the General Schedule of Supplies, issued by the Procurement Division, Treasury Department, must be purchased from sources indicated therein when delivery is to be made to the Department in Washington.

Purchases from the General Schedule of Supplies for delivery to points in the field must be made from contractors listed therein where the field service is specifically covered by the Schedule. If the Schedule does not specifically cover the field service, purchase may be made in accordance with the Special Conditions appearing in the preface of the Schedule.

Procurement Division waiver as to mandatory purchases from the General Schedule of Supplies may be secured through the division of purchase, sales, and traffic, upon a showing that the requirement is of a special character and cannot be met by purchase of the contract item. (161)

3344. Central Supply Section Store Stock.- Items of common supplies are carried in the Department's Central Supply Stock located in Washington, D. C. Such stock items are subject to requisition for delivery in Washington or shipment to the field at cost plus handling charges and transportation expense, if any. (See Central Supply Section Stock List.)

3345. Printed Forms.- Standard Government forms and Department of Agriculture forms are carried in the Department's Central Supply Stock located in Washington, D. C. Such forms are subject to requisition to meet normal operations and will be delivered in Washington or shipped to the field without cost, except handling and transportation charges. (See Central Supply Section Stock List.)

3346. Purchases of Products Manufactured by Federal Prison Industries, Inc.- Unless otherwise specifically authorized by law, products of the Federal Prison Industries, Inc. must be purchased from the Federal Prison Industries, Inc. The chief industries which dispose of their products to other Government agencies consist of one each of the following types of mills: broom and brush, clothing, mattress, shoe, rubber, textile. A list of the products manufactured can be secured from the chief, division of purchase, sales, and traffic. While the products change from time to time, the following types of articles are usually available:

Bags	Name plates
Baskets	Pulleys
Brooms	Shoes
Brushes	Steel cases
Clothing, work	Tents
Drain traps and grates	Traffic standards
Grilles, floor and wall	Uniforms
Mats	Woven cotton fabrics

Vouchers covering purchases of similar material made in the open market must be accompanied to the General Accounting Office with a clearance from the Federal Prison Industries, Inc. authorizing such open market purchases. (1311)

3347. Scientific and Experimental Equipment.- Purchases of scientific and experimental equipment intended for laboratory or research work may be made, without regard to the Procurement Division schedule, upon approval by the chief of bureau when similar articles included in the General Schedule of Supplies or other contracts controlled by the Procurement Division are not of the grade or manufacture required. Vouchers covering such purchases shall contain a statement to that effect and also recite that each purchase was made under authority of paragraph A-6 of the Regulations Governing the Operation of the Branch of Supply, Procurement Division, Treasury Department, approved by the Secretary of the Treasury on April 10, 1935.

DEPARTMENT OF AGRICULTURE

WASHINGTON

December 19, 1936

AMENDMENT TO THE REGULATIONS

Amendment No. 6.

There appears on the reverse side of this page a revision of paragraph 3347, entitled "Scientific and Experimental Equipment", which has been prepared to conform to present practice.

This amendment is effective immediately and all copies of the Regulations should be revised accordingly.

Inasmuch as this subject is included in the Table of Contents and the Index, no additions need be made to those sections.

H A Wallace

Secretary.

3348. Purchase Orders Requiring Approval of Chief of Division of Purchase, Sales and Traffic.- Orders for materials, supplies or services must be approved by the chief of the division of purchase, sales and traffic where the cost exceeds the following: Forest Service and Bureau of Public Roads, $1,000 generally, and $2,500 in case of road construction, station work, supplies required solely for fire suppression, and the maintenance of roads and trails wholly or partly within the national forests; all other bureaus $500. The appropriation shall be shown in connection with bids forwarded for approval to the division of purchase, sales, and traffic and to the Office of the Secretary. The approval of the purchase order by the chief of the division of purchase, sales, and traffic is not required on orders placed as the result of contracts which have been accepted in the division of purchase, sales, and traffic, or based on contracts of the Procurement Division, Treasury Department. Where emergency prevents submission of order for prior approval the voucher should be forwarded for that purpose to the division of purchase, sales, and traffic with a statement of the preventive circumstances. Automotive equipment, computing, bookkeeping and other accounting machines, duplicating and other reproduction equipment, motion picture cameras and projection machines, sound recording and other motion picture equipment, and noiseless typewriters, irrespective of cost, shall not be purchased without the prior approval of the chief of the division of purchase, sales, and traffic who will first refer such requests to the proper departmental authority for clearance. Purchase of equipment such as still cameras, brief cases, desk writing sets, glass for desk tops, etc., will be strictly limited to instances where there is definite and justifiable need for such special equipment and should be approved in every case by the business manager or other bureau official or officials specifically designated by the chief of bureau to pass upon such purchases. (See also Paragraphs 4113, 4122.)

Restrictions upon Purchases

3349. Purchases from Expired Contracts; Contracts Covering Two Fiscal Years. After the supplies or services covered by a contract have been furnished, whether on the definite quantity or more-or-less basis, additional supplies or services thereunder should not be ordered; fresh competition and a new contract are required. Contracts should not involve payments from the appropriations of two fiscal years unless at the time of execution the appropriation for the succeeding fiscal year has been made, in which case the contract may cover the needs of the remainder of the current fiscal year and those of the succeeding period, provided the agreement clearly discloses the quantity and amount chargeable to each fiscal year's appropriation. Contracts made during the fiscal year before funds for the succeeding year have been appropriated may contain a renewal option to cover the next fiscal year; but this option should not be exercised unless there has been fresh advertising and it has produced no lower price.

Inasmuch as public utility contracts are primarily quotations of rates that will be paid if the Government elects to use such services, it is permissible when there is no competition between different companies available for supplying a particular class of service in a given locality to enter into agreements to furnish such services at stipulated rates "until further notice" without the necessity for new agreements on annual renewals except as required to cover changes in rates or service.

3349. Purchases from Expired Contracts; Contracts Covering Two Fiscal Years.- After the supplies or services covered by a contract have been furnished, whether on the definite quantity or more-or-less basis, additional supplies or services thereunder should not be ordered; fresh competition and a new contract are required. Contracts should not involve payments from the appropriations of two fiscal years unless at the time of execution the appropriation for the succeeding fiscal year has been made, in which case the contract may cover the needs of the remainder of the current fiscal year and those of the succeeding period, provided the agreement clearly discloses the quantity and amount chargeable to each fiscal year's appropriation. Contracts made during the fiscal year before funds for the succeeding year have been appropriated may contain a renewal option to cover the next fiscal year; but this option should not be exercised unless there has been fresh advertising and it has produced no lower price.

Inasmuch as public utility contracts are primarily quotations of rates that will be paid if the Government elects to use such services, it is permissible when there is no competition between different companies available for supplying a particular class of service in a given locality to enter into agreements to furnish such services at stipulated rates "until further notice" without the necessity for new agreements on annual renewals except as required to cover changes in rates or service.

GENERAL PROVISIONS

3411. Regulations Subject to Appropriation Acts.- All the provisions of these regulations and all the allowances provided herein are subject to the appropriation acts in effect during the fiscal year in which the expenses are incurred. (See also Paragraph 3131.)

3412. Routes to Be Followed.- Travel expenses will be allowed by the most economical usually traveled route over the itinerary, if any, specified in the travel order. Additional cost caused by deviation from the shortest and most direct route will not be allowed unless due to exigencies of travel which must be satisfactorily explained in the expense account. Deviation for personal convenience will be at the expense of the officer or employee. Salary will not be deducted for time lost by reason of the longer route when the additional time has been charged to the employee's annual leave.

3413. Stopping Over or Detention En Route.- Unauthorized stopping over at any point or any detention en route will not be allowed unless due to exigencies of travel which must be fully explained in the expense account. An employee in a travel status who, for personal reasons, leaves his place of duty over Sundays or holidays may not receive reimbursement of the cost of transportation incurred although the amount does not exceed the probable cost of subsistence to which he would have been entitled had he remained at such place of duty.

An employee is not entitled to per diem in lieu of subsistence for periods during which leave of absence, whether annual or sick, is taken while in a travel status. Fractional leave of absence wholly within a day, where for half of the prescribed working hours or less, will be disregarded for subsistence purposes.

3414. Minimum Accommodations.- Accommodations shall not exceed the lowest first class rates by the transportation facility used in official travel.

3415. Use of Transportation Requests.- A transportation request is an order by proper authority upon the prescribed standard form for specified passenger, sleeping-car, stateroom, or other commonly recognized transportation accommodation, including established autobus, stagecoach, and air lines, for presentation by persons traveling on official business to transportation companies in the United States and steamship lines having ports of call within the United States for exchange by them for such accommodations.

Transportation requests should be used, when practicable, to obtain all official transportation where the amount involved is $1 or more but should not be issued to companies other than transportation lines commonly recognized as such.

Transportation requests must not be used for personal travel.

The request should be filled out in detail, showing route, kind, and class of ticket obtained, and value inserted on carbon copy. If in an emergency cash transportation is effected, full explanation why travel request was not used should appear on the travel expense voucher.

Each employee of the Department having custody of Government requests for transportation shall be held accountable for them and chargeable with the amount which is required to be paid by the United States by reason of improper use of such requests resulting from his fault or negligence.

Alterations or erasures on a transportation request should be made only by a person who has authority to issue the request. Alterations or erasures should be initialed by the person making the change.

3415 (cont.)

Additional accommodations required by an employee over those originally provided for him should be paid for by himself and reimbursement requested therefor, which can be made only after the same are furnished and are ratified and approved as necessary and required for the Government's interest.

When transportation requests are used for travel on an extra-fare train and such use is not authorized or approved, the excess cost of such travel over the regular fare will be collected by the proper Government official from the traveler. (1255, 1256)

3416. Use of American Flag Ships Required. (Canceled June 24, 1943, by Amendment No. 166. See Regulation 1824.)

3417. Negotiations for Special Rates and Other Concessions. (Canceled Dec. 29, 1943.)

Additional accommodations required by an employee over those originally provided for him should be paid for by himself and reimbursement requested therefor, which can be made only after the same are furnished and are ratified and approved as necessary and required for the Government's interest.

When transportation requests are used for travel on an extra-fare train and such use is not authorized or approved, the excess cost of such travel over the regular fare will be collected by the proper Government official from the traveler. (1255, 1256)

3416. Use of American Flag Ships Required.- Any officer or employee of the United States traveling on official business overseas to or from foreign countries, or to or from any of the possessions of the United States shall travel and transport his personal effects on ships registered under the laws of the United States when such ships are available, unless the necessity of his mission requires the use of a ship under a foreign flag. The Comptroller General will not credit any allowance for travel or shipping expenses incurred on a foreign ship in the absence of satisfactory proof of the necessity therefor.

The use of the foreign vessel must have been necessary to the accomplishment of the traveler's mission, which necessity must have been one of which the Department was aware in advance and which formed the sole basis of the action in authorizing the use of the foreign vessel. This restriction is also applicable to the families and effects of officers and employees when transported at the expense of the Department.

3417 Negotiations for Special Rates and Other Concessions.- Requests for special rates, rate adjustments, or other matters pertaining to (1) transportation of Government property; (2) freight classifications; (3) switching, lighterage, or other terminal charges and facilities; (4) railway track facilities; and (5) demurrage and storage charges requiring negotiations with common carriers, or their agents, or with regulatory bodies, such as the Interstate Commerce Commission, shall be made through the chief of the division of purchase, sales, and traffic to the Treasury Department, Procurement Division, Branch of Supply, Washington, D. C. and be accompanied by all available evidence supporting the propriety thereof or the necessity therefor. This procedure is not applicable, however, to minor concessions which may be granted by local agents.

DEPARTMENT OF AGRICULTURE

WASHINGTON

March 29, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 20.

In accordance with the request contained in Circular Letter No. 211, issued February 11, 1937, by the Procurement Division, Treasury Department, the amendment appearing on the reverse side of this sheet relating to negotiations for special rates and other concessions from common carriers and regulatory bodies is promulgated effective immediately. All copies of the Regulations of the Department should be corrected accordingly.

The following additions should be made to the Table of Contents and the Index:

To the Table of Contents:

"3417. Negotiations for Special Rates and Other concessions."

To the Index:

"Bills of lading - - - - - - - - - - 3417, 3471
Common carriers, negotiations with - - 3417
Freight classifications, negotiations - 3417
Traffic matters, negotiations on - - - 3417
Transportation matters, negotiations on 3417"

H A Wallace

Secretary.

AUTHORIZATION

3421. Authority Delegated and Reserved.

1. Subject to the limitations prescribed in this Regulation, chiefs of bureaus may (a) authorize or approve travel and transportation in accordance with applicable statutes, orders, decisions, etc., the Standardized Government Travel Regulations, the Department Regulations, and memoranda and circulars issued by the Office of the Secretary and its branches, and (b) delegate this authority to their subordinates to the extent necessary for good administration, provided, however, that such delegation by chiefs of bureaus shall not extend to approval of travel performed without prior authority where no emergency existed, or to authorization of travel to attend meetings except as otherwise provided in Regulation 1512. * (For transportation on permanent change of station see Regulation 3435) *

2. The concurrence of the Secretary must be obtained on authorizations for travel in furtherance of activities of the Department by persons, other than Government officers and employees. (See Reg. 3433) ***

3. The concurrence of the Director of Finance must be obtained (a) on authorizations for travel to and from the Territories and insular possessions of the United States, and (b) on authorizations or approvals for travel by commercial air lines or extra-fare trains, except as otherwise provided in Regulations 3438 and 3439 and Secretary's Memoranda 864 and 912.

4. The concurrence of the Directors of Finance and of Foreign Agricultural Relations must be obtained on authorizations for all travel outside the continental limits of the United States except travel (a) specified in paragraph 3(a) above, (b) within the Territories and insular possessions of the United States by employees stationed therein, (c) within the areas of Canada and Mexico adjacent or in proximity to the United States by employees whose duties necessitate such travel, and (d) between points in the United States when the most economical usually travelled route involves travel outside the continental limits of the United States (see Regulations 3461 and 1821-1824).

5. The concurrence of the Director of Personnel must be obtained on certain authorizations for travel to attend meetings, as required by Regulation 1512.

3422. General Travel Authorizations. General or blanket travel authorizations may be issued to employees who, by the nature of their duties, are required to travel repeatedly and frequently within an area from their official stations on short notice or upon the happening of unforeseen events which necessitate prompt action, particularly in matters requiring the exercise of individual discretion, or to employees whose duties otherwise make impracticable the issuance to them of letters of authorization specifying the trip or trips to be made. Such general or blanket travel authorizations must be limited as to the time and area in which travel may be performed. They shall be renewed at least as frequently as there is any change in status affecting the travel required and not less often than each fiscal year. General or blanket travel authorizations permitting employees to travel at will anywhere in the continental United States are too broad, unless circumstances are such as to require such authorizations. It is the policy of the Department that both the number and scope of general travel authorizations shall be kept to the minimum essential for efficient administration. (See Budget and Finance Memorandum No. 174, dated October 18, 1939, and Budget and Finance Circular 474, dated September 17, 1941.)

AUTHORIZATION

3421. General Bureau Authorization.- Chiefs of bureau are authorized to:

(a) direct travel within the continental limits of the United States;

(b) direct travel in the Provinces of Canada and the States of Mexico contiguous to the United States;

(c) direct those officers and employees stationed within the Territories and insular possessions of the United States to travel within those regions;

(d) allow subsistence during travel in accordance with the Standardized Government Travel Regulations;

(e) authorize use of personally-owned automobiles for travel;

(f) authorize expenses incident to packing, crating, drayage, transportation, uncrating and unpacking of personal effects and household goods in connection with the permanent transfer of an officer or employee;

(g) authorize any other legal and proper activity or expense the approval of which is not reserved to the Secretary;

(h) delegate any part of this authority to their subordinates. (70, 159)

(See also Paragraph 1512.)

3422. Secretary Authorization.- Specific authorization by the Secretary will be required on the travel order or letter of authorization covering:

Authorization

3423. Travel at Official Station. *Employees may be reimbursed, upon an actual expense basis, for street car and bus fares expended by them at their official stations in the transaction of official business. They may also be reimbursed, upon an actual expense basis, for gasoline, oil, etc., actually consumed in the use of a privately owned automobile for official travel at their official stations if, in the opinion of the chief of bureau, conditions at any such station justify this expense, provided the appropriation to be charged is expressly available for the maintenance and operation of passenger-carrying vehicles generally, and provided further, in the case of employees in the departmental service (whether in the District of Columbia or elsewhere), that the appropriation to be charged is expressly available for the maintenance and operation of passenger-carrying vehicles generally in the departmental service. All appropriations contained in the Department of Agriculture Appropriation Acts for 1943 and previous years are expressly available for the maintenance and operation of passenger-carrying vehicles generally in the field service outside the District of Columbia, but as a rule such appropriations are not available for such purposes in the departmental service (whether in the District of Columbia or elsewhere). Employees may be reimbursed upon a mileage basis for such expenses only if specifically authorized by law. (75, 76, 160; Department of Agriculture Appropriation Acts; 11 Comp. Gen. 271; 21 Comp. Gen. 649; 22 Comp. Gen. 296)*

(a) travel outside the continental limits of the United States, except as specified in paragraph 3421 on General Bureau Authorization; and

(b) travel by persons not in the employ of the Department in furtherance of activities of the Department. (See also Paragraph 3433.)

3423. To Whom Reimbursement of Transportation Expenses May Be Allowed.- All officers and employees of the Department may be allowed the expenses of transportation and per diem in lieu of subsistence when traveling under written orders issued in advance by an officer or employee delegated by the Secretary to sign such orders. Officers and employees may be allowed the expenses of transportation of their household effects when properly authorized in accordance with these regulations. Officers of the Foreign Agricultural Service may be allowed the expenses of transportation and subsistence for their families when properly authorized in accordance with these regulations.

It is the duty of officers and employees to inform themselves concerning travel allowances which may be properly authorized.

3424. Travel Must be in Accordance with Standardized Government Travel Regulations.- All travel performed by Federal employees on official business must be in accordance with Standardized Government Travel Regulations.

3425. Travel Orders.- All travel shall be either authorized or approved in writing by the official to whom such authority has been properly delegated.

Except as provided in the following paragraph, the authority shall be issued prior to the incurrence of the expenses, and shall specify the travel

DEPARTMENT OF AGRICULTURE

WASHINGTON

October 15, 1936

AMENDMENT TO THE REGULATIONS

Amendment No. 5.

In view of numerous complications which have arisen over the requirement contained in paragraph 3422(b) to the effect that specific authorization by the Secretary will be required on the travel order or letter of authorization covering travel to conventions, meetings, and expositions, this paragraph is hereby amended by cancelling item (b). The revised paragraph, which appears on the reverse side of this sheet, is effective immediately.

All copies of the Regulations should be amended accordingly.

Inasmuch as this title has been included in the Table of Contents and the Index no additions to those sections are required.

R. G. Tugwell

Acting Secretary.

to be performed as definitely as circumstances will permit, the per diem rate allowed and the permanent station and temporary headquarters, if any, of the employee.

Whenever travel has been performed and expenses incurred on account of an emergency, or without prior authority, the travel voucher must be approved by the proper official. All vouchers submitted on account of such travel must contain a statement satisfactory to the General Accounting Office of the facts constituting the necessity therefor.

General travel orders must be limited as to time and extent. Such letters may be issued to officers and employees whose duties are such as to make it impracticable to issue trip letters of authorization specifically prescribing the travel to be performed. They should be renewed at least as frequently as there is any change in status affecting the travel required and not less often than each fiscal year.

Copies of authorizations for travel, station, and field expenses will be forwarded to the General Accounting Office. The material to be so treated comprises general or specific letters of authorization issued from the Washington Office or from district or field headquarters, including every letter or memorandum which authorizes or defines object of travel or limits travel, designates territory or points to be visited, specifies rates of per diem allowance in lieu of subsistence, or which contains other evidence necessary in the administrative examination of travel accounts.

3426. Travel at Field Headquarters.- Where the expense incurred by an employee while away from his permanent station, in going to and from his work, is merely that required of the public generally in going to and from its work, it is incidental to subsistence. In this class there is

embraced street car fare, bus fare, ferry fare, and taxicab hire, when used in lieu of the three preceding modes of conveyance.

Where living accommodations can be secured near the work or at a place from which it may be reached by local public transit companies and the employee for his own convenience resides elsewhere, making daily trips to and from his work, such trips will not be considered as an actual and necessary expense and reimbursement will be denied therefor.

Where the nature and location of the work is such that meals and lodging can not be secured there, the daily travel from the nearest place at which living accommodations can be secured to and from the work will be considered as necessary transportation not incidental to subsistence. In this class will be included trips from towns or cities where there are hotel accommodations to farms and to such places as the nature of the employee's work requires him to visit which are inaccessible except by means of special conveyance. (See also Paragraph 1831.)

In no case will the daily travel to and from work be considered as transportation not incidental to subsistence when it is similar to that made by the public generally or is only made for the employees' convenience. A full statement of the necessity for the daily travel should accompany the voucher on which payment is made.

3427. Travel at Official Station.- In addition to reimbursement for street car and bus fares expended by employees at their official headquarters in the transaction of official business, they may be reimbursed for the expenses of gasoline, oil, etc., actually consumed, in the use of a personally-owned automobile where the conditions at an official station are such in the opinion of the chief of bureau as to justify such expenses. Mileage cannot be authorized, however.

Travel Expenses

3431. Per Diem in Lieu of Actual Expenses

1. Employees, while traveling on official business and away from their designated posts of duty, shall be allowed, in lieu of their actual expenses for subsistence and all fees or tips to porters and stewards, a per diem allowance not to exceed (a) the rate of $6.00 within the limits of the continental United States, except that where such travel is performed by means of a privately owned trailer no per diem allowance shall be paid unless the travel by such means be authorized in advance, in which event a per diem allowance not to exceed the rate of $2.50 shall be allowed; and (b) *the maximum rates prescribed by the President for travel beyond the limits of the continental United States (the Office of Budget and Finance will disseminate information on such rates)*: Provided that such per diem allowance shall not exceed the rate of $3.00 while on shipboard, when the price of passage includes meals.

2. The rates specified represent the maxima allowable. It shall be the responsibility of the chief of each bureau or other agency of the Department to prescribe standards within the foregoing maxima governing the peculiar needs of his particular organization. In prescribing such standards, all factors that bear upon a fair and equitable per diem allowance, both from the standpoint of the employee concerned and of the Department needs, shall be taken into consideration.

3. A copy of standards prescribed and any amendments thereto shall be filed promptly with the Director of Finance, who is authorized to review them for the purpose of obtaining, if possible, uniformly equitable rates throughout the Department.

4. *Per diem allowances, like other* allowances for official travel and the preparation of travel expense accounts, will be governed by the Standardized Government Travel Regulations as amended.

3432. Expenses of Detailed or Loaned Employees. Properly authorized traveling expenses incurred by an employee in connection with work for which he is detailed or loaned from one Government agency to another may be paid by the agency to which such employee is detailed or loaned.

3433. Expenses of Private Persons

1. When travel for the benefit of the Department is to be performed by a person who is not a Government employee, the bureau will obtain in advance the Secretary's approval of such travel. The bureau will issue a formal, signed travel authorization covering the actual expenses of transportation and the actual expenses for subsistence at not to exceed an average of $6.00 a day while traveling within the continental limits of the United States, unless otherwise specifically provided for by law.

2. In exceptional cases, when circumstances justify, reimbursement may be authorized to persons not employed by the Federal Government for

3433 (cont.) actual subsistence expenses in excess of this limitation.

3. Travel authorizations issued under this Regulation will be forwarded to the Office of the Secretary for approval accompanied by a letter stating the necessity for such travel.

4. All vouchers claiming reimbursement of the expenses of transportation and subsistence submitted by private persons shall indicate that the claim is made by a private person by inserting in the space provided on voucher form No. 1012 for "Additional Information by Department, Bureau, Etc.," the phrase "Not Government Employee." (See also Paragraph 3422.)

3434. Advancement of Funds for Expenses.

1. Classes of Advances. Advances of funds are of two types:

a. Under the Subsistence Expense Act of 1926 for proper subsistence expenses of official travel only. Such advances are governed by the regulations in Circular No. 369-Revised issued by the Secretary of the Treasury and by General Regulations No. 88 promulgated by the Comptroller General. ***

b. Under the act of June 3, 1902, applicable only to the Department of Agriculture, for duly authorized expenditures for objects not within the travel expense category, such as hire of laborers, purchase of samples, etc. Such advances will be made only where it is probable that the payment of such non-travel expenses cannot practically be made by a disbursing officer.

2. Applications for Advances. Applications for advances shall be made on Standard Form 1038-Revised which must be approved by an official who has been duly designated for the purpose by the Secretary of Agriculture, on recommendation by the chief of bureau, in a letter addressed to the Chief Disbursing Officer, Treasury Department. Such authorizations to approve advances are subject to the following limitations:

a. Under the Subsistence Expense Act of 1926, the designated officials are authorized to approve applications for advances of $1,000 or less. Applications for advances exceeding $1,000 must be approved by the Secretary of Agriculture.

b. Under the Act of June 3, 1902, the designated officials are authorized to approve applications for advances within the maximum amount of $4,000, but if the amount exceeds $2,000 the application must also be approved by the Director of Finance.

3. Amount of Advance. The maximum amount that may be advanced under the Subsistence Expense Act of 1926, including any amount of advance or advances unaccounted for, shall be $2,000 and the minimum advance that may be made shall be $25. The maximum amount that may be advanced under the Act of June 3, 1902, shall be $4,000 and the minimum $50.

4. Rendering Accounts. If expenditures are to be made during a travel status, accounts must be rendered promptly at the end of each trip, except in the case of trips of brief duration at short intervals, and in any event monthly. If the expenditures do not involve a travel status, monthly accounting will be required. A properly executed

3434 (cont.) Standard Form 1059-Revised will be attached to each account rendered. Any unexpended balance must be promptly repaid as soon as the * immediate * need therefor ceases. Failure properly and promptly to account for advances will be reported by the Chief Disbursing Officer to the Comptroller General of the United States, and further advances will be refused for failure so to account or for delinquencies in making repayment of any unused balance of an advance. ***

5. Security for Advances. * Bonds must be furnished to cover advances of funds under the Subsistence Expense Act of 1926 or the Act of June 3, 1902. Bonds for advances under the Subsistence Expense Act of 1926 may be secured by surety or by the deposit of United States Bonds, Treasury notes, or other public debt obligations of the United States or obligations which are unconditionally guaranteed as to both principal and interest by the United States. For information on bond forms, see Regulation 3142. *

3435. Transportation on Permanent Change of Station. * An employee transferring within the Department of Agriculture from one official station to another for permanent duty will be allowed expenses for travel and for transportation of his household goods and personal effects when authorized or approved by the chief of the bureau concerned or by bureau officials whom the chief has designated for this purpose. Chiefs of bureaus shall be responsible for seeing that the policies followed are both economical for the Government and fair to the employees. Payment of expenses for travel and transportation of household goods should be considered by the appropriate officials at the same time the authorization to change station is considered since the same factors are involved in both decisions. Authority to authorize or approve payment of expenses for transporting household goods includes the authority to authorize shipment by express as provided in paragraph 5 and authority to approve extensions of the time limit for moving goods as provided in paragraph 12 of this regulation. (Public Law No. 425, 78th Congress, approved 9-21-44) *

Authorization or approval of payments for the expense of transporting household goods must be made in accordance with the following provisions. ***

1. When any civilian officer or employee of any of the executive departments or establishments of the United States, hereinafter called employee, is transferred from one official station to another for permanent duty and the payment of expenses of transportation of his household goods and other personal effects is authorized by law, such expenses, when specifically authorized or approved *** shall be allowed and paid in accordance with the provisions of this regulation.

2. Maximum Allowances for Transportation. (a) Weight: The actual costs of transportation of the household effects and other personal property of the employee, not in excess of 5,000 pounds gross, and of the packing, crates, boxes, lift vans, or other temporary containers required for the shipment, shall be allowed: Provided, That employees who have no dependents living with them shall be entitled to the transportation of household effects and other personal property not in excess of 2,500 pounds gross. Gross weight shall include the net weight of the property and the weight of the usual containers of the property, but shall not include the weight of

3435 (cont.) packing, crates, boxes, or lift vans which have no connection with the property except for the purposes of the immediate shipment and which do not constitute a continuing part of the property of the employee.

For the application of the limitations prescribed by this sub-paragraph the gross weight of the property shall be computed as being 80 per cent of the combined weight of the property and the packing and crating used for the shipment: Provided, That in case of shipments involving transportation by vessel over all or part of the distance the gross weight of the property shall be computed as being 50 per cent of the combined weight of the property and the packing, crating, boxing, and lift vans used for the shipment: And provided further, That when shipment is by motor freight the gross weight of the property shall be the actual weight of the goods transported. Thus, transportation will be allowed at Government expense for property when packed, crated, boxed, or placed in lift vans for shipment, within the following maximum weights:

	Pounds
Employees having dependents living with them:	
Shipment involving transportation by vessel over all or part of route	10,000
Shipment by rail only	6,250
Shipment by motor freight only	5,000
Employees having no dependents living with them:	
Shipment involving transportation by vessel over all or part of route	5,000
Shipment by rail only	3,125
Shipment by motor freight only	2,500

(b) Volume: Where charges for transportation are computed on a basis of measurement rather than weight, charges will be allowed regardless of weight for not to exceed 29 measurement tons of 40 cubic feet each, inclusive of packing, crating, and lift vans: Provided, That employees who have no dependents living with them shall be allowed charges for not to exceed 22 measurement tons.

(c) Weight and Volume on Same Shipment: When shipment must be made over such a route that the transportation necessarily involves charges based upon weight over part of the distance and upon measurement over another part of the distance, the following conditions shall apply: (1) if the weight does not exceed the limitations prescribed in sub-paragraph (a) payment shall be allowed for actual charges over the entire distance regardless of whether the measurement is in excess of the limitations imposed by sub-paragraph (b); (2) if both weight and measurement are in excess of the prescribed limitations, payment shall not be allowed for the excess by weight over that part of the distance where charges are based on weight, or for the excess by measurement over that part of the distance where charges are based on measurement.

3. Allowances for Packing, Crating, Unpacking, and Uncrating. The actual costs of packing, crating, unpacking, and uncrating shall be allowed: Provided, That no charges shall be allowed for the packing crating, unpacking, and uncrating of property in excess of the weight or measurement allowable under paragraph 2 of this regulation.

5435 (cont. 2)

4. Allowances for Drayage. The actual costs of drayage to and from the common carrier shall be allowed: Provided, That in no case shall costs of drayage be allowed where door-to-door common carrier rates are applicable.

5. Means of Shipment. Shipment shall be made by the most economical means, taking into consideration the costs of packing, crating, drayage, unpacking, and uncrating: Provided, however, That the employee may have his effects moved by some means other than that determined to be most economical by paying the difference between the lowest available charges and the charges by the preferred means: And provided further, That, when * it is determined to be in the interest of the Government, specific authorization may be given for * the shipment by express of articles required for immediate use at the new official station (such as professional books, wearing apparel, bedding, or kitchen utensils, but not furniture or jewelry), which shall in no case exceed a weight of 500 pounds for employees having dependents living with them or 250 pounds for employees having no dependents living with them. In considering comparative transportation costs as required by this paragraph, the lowest available motor van charges may be determined by consulting published tariffs or by securing competitive bids, the use of either method to be construed as being determinative of the lowest available rate for motor transportation.

6. Use of Government Bill of Lading or Purchase Order. Shipment shall be made on Government bill of lading or purchase order whenever possible; otherwise reimbursement shall be made to the employee for transportation expenses actually and necessarily incurred within the limitations prescribed by this regulation. If property in excess of the amount allowable under this regulation is shipped on a Government bill of lading or purchase order with the authorized allowance the employee shall immediately upon completion of the shipment pay to the proper officer of the department or establishment an amount equal to the charge for the transportation of such excess.

7. Computation of Excess Costs. Excess costs payable by the employee shall be computed from the total charges according to the ratio of excess weight to the total weight of the shipment.

8. Use of Lift Vans. Charges allowable hereunder for packing and crating and for transportation shall include expenses incurred in hiring, transporting, and packing lift vans when shipments are made in whole or in part by water, but shall not include charges in connection with any shipment of empty lift vans or for payment of storage charges or import duties on lift vans.

9. Items Not Allowable. For the purposes of this regulation household goods and other personal effects shall not include groceries, provisions, wines, liquors, animals not necessary in the performance of official duties, birds, or automobiles: Provided, That during the period of Government rationing of foods, groceries and provisions may be included and be transported within the weight limitations established by this regulation.

10. Valuation. The valuation of property as declared for shipping purposes shall not exceed that at which the lowest freight rates will

3435 (cont. 3) apply. Should the employee desire a higher valuation, he must assume all costs of transportation in excess of the charges at the lowest rate.

11. Shipment from Points Other Than Official Station. The expenses of transportation authorized hereunder shall be allowable whether the shipment originates from the employee's last official station or from some previous place of residence, or partially from both: Provided, That the cost to the Government shall not exceed the cost of shipment in one lot by the most economical route from the last official station to the new. Shipments involving a cost greater than that authorized by this paragraph may be made on a Government bill of lading but the employee shall be required to reimburse the Government for the excess cost immediately upon completion of the shipment. No expenses shall be allowable for the transportation of property acquired en route from the last official station to the new. For the purposes of this regulation, the term "official station" shall be construed to include any point from which the employee commutes daily to his official post of duty.

12. Time Limit. All shipments allowable under this regulation shall begin within six months of the effective date of the transfer of the employee unless an extension is specifically granted. *** Such an extension shall be approved *** within the six months' period during which shipment would otherwise begin and shall in no case be for a period exceeding two years from the effective date of the transfer, except that, for employees who enter upon active military, naval, or Coast Guard duty at any time prior to the expiration of the period within which transportation of their effects is authorized and who are furloughed for the duration of such duty, the extension may be made effective until a date not more than sixty days following the date of termination of the furlough.

13. Shipment by American Vessels. All shipments of property by water shall be made on ships registered under the laws of the United States where such ships are available.

14. Transfer for Convenience of Employee. If a transfer is made at the request and primarily for the convenience or benefit of an employee, no payment shall be allowed from Government funds for the packing, crating, drayage, transportation, unpacking, or uncrating of the household goods or other personal effects of the employee.

15. Preparation of Vouchers. In preparing vouchers for payments under this regulation the following conditions shall be observed:

(a) Statement of Weight: When charges for transportation are based upon weight, the actual (not estimated) weight shall be shown.

(b) Itemization of Charges: Where services rendered cover, in addition to transportation, such other services as packing, crating, drayage, unpacking, and uncrating, the total charge for the services shall be itemized so as to show the charge for each service.

(c) Payment by More Than One Voucher: Where all the services rendered in connection with moving the household effects of an employee are not covered by a single voucher, vouchers covering payment for subsequent charges shall bear a reference to prior vouchers.

* This regulation incorporates all applicable provisions of Executive Order 8588, as amended by Executive Orders 9122, 9223, and 9348. *

3431. Per Diem in Lieu of Actual Expenses. Employees, while traveling on official business and away from their designated posts of duty, shall be allowed, in lieu of their actual expenses for subsistence and all fees or tips to porters and stewards, a per diem allowance not to exceed (a) the rate of $6.00 within the limits of the continental United States, except that where such travel is performed by means of a privately owned trailer, no per diem allowance shall be paid unless the travel by such means be authorized in advance, in which event a per diem allowance not to exceed the rate of $2.50 shall be allowed; and (b) an average of $7.00 beyond the limits of the continental United States: Provided, That such per diem allowance shall not exceed the rate of $3.00 while on shipboard when the price of passage includes meals.

The rates specified represent the maxima allowable. It shall be the responsibility of the chief of each bureau or other agency of the Department to prescribe standards within the foregoing maxima governing the peculiar needs of his particular organization. In prescribing such standards, all factors that bear upon a fair and equitable per diem allowance, both from the standpoint of the employee concerned and of the Department needs, shall be taken into consideration.

A copy of standards prescribed and any amendments thereto, shall be filed promptly with the Director of Finance, who is authorized to review them for the purpose of obtaining, if possible, uniformly equitable rates throughout the Department.

All allowances for official travel and the preparation of travel expense accounts will be governed by the Standardized Government Travel Regulations as amended (Public Law 424, 77th Congress).

3432. Expenses of Detailed or Loaned Employees. Properly authorized traveling expenses incurred by an employee in connection with work for which he is detailed or loaned from one Government agency to another, may be paid by the agency to which such employee is detailed or loaned.

3433. Expenses of Private Persons. When travel for the benefit of the Department is to be performed by a person who is not a Government employee, the bureau will obtain in advance the Secretary's approval of such travel. The bureau will issue a formal, signed, travel authorization covering the actual expenses of transportation and the actual expenses for subsistence at not to exceed an average of $6.00 a day while traveling within the continental limits of the United States, unless otherwise specifically provided for by law.

In exceptional cases, when circumstances justify, reimbursement may be authorized to persons not employed by the Federal Government for

DEPARTMENT OF AGRICULTURE

WASHINGTON

AMENDMENT TO THE REGULATIONS

Amendment No. 131 February 19, 1942

There appears on the reverse of this page revisions of Regulations 3431, 3432, and a part of 3433 which supersede Amendment No. 8, dated January 16, 1937, and are promulgated effective immediately. The change in Regulation 3431 is necessary in order to bring this Regulation into agreement with the law prescribing per diem rates allowed in lieu of actual expenses, Public Law 424, 77th Congress. The change in Regulation 3433 is desirable in order to make the subsistence expenses prescribed therein consistent with the per diem allowance under the new Act. Regulation 3432 has been rewritten for purposes of clarification.

These revised Regulations should be substituted for the present paragraphs 3431, 3432, and 3433 of the Regulations. No changes in the Table of Contents or Index are necessary.

Grover B. Hill

Assistant Secretary

actual subsistence expenses in excess of this limitation.

Travel authorizations issued under this Regulation will be forwarded to the Office of the Secretary for approval accompanied by a letter stating the necessity for such travel.

All vouchers claiming reimbursement of the expenses of transportation and subsistence submitted by private persons shall indicate that the claim is made by a private person by inserting in the space provided on voucher form No. 1012 for "Additional Information by Department, Bureau, Etc.," the phrase "Not Government Employee." (See also Paragraph 3422.)

3434. Advancement of Funds for Expenses.

1. Classes of Advances. Advances of funds are of two types:

a. Under the Subsistence Expense Act of 1926 for proper subsistence expenses of official travel only. Such advances are governed by the regulations in Circular No. 369-Revised issued by the Secretary of the Treasury and by General Regulations No. 88 promulgated by the Comptroller General. (These regulations are included as Appendixes I and II, respectively, to the Standardized Government Travel Regulations.)

b. Under the act of June 3, 1902, applicable only to the Department of Agriculture, for duly authorized expenditures for objects not within the travel expense category, such as hire of laborers, purchase of samples, etc. Such advances will be made only where it is probable that the payment of such non-travel expenses cannot practically be made by a disbursing officer.

2. Applications for Advances. Applications for advances shall be made on Standard Form 1038-Revised which must be approved by an official who has been duly designated for the purpose by the Secretary of Agriculture, on recommendation by the chief of bureau, in a letter addressed to the Chief Disbursing Officer, Treasury Department. Such authorizations to approve advances are subject to the following limitations:

a. Under the Subsistence Expense Act of 1926, the designated officials are authorized to approve applications for advances of $1,000 or less. Applications for advances exceeding $1,000 must be approved by the Secretary of Agriculture.

b. Under the Act of June 3, 1902, the designated officials are authorized to approve applications for advances within the maximum amount of $4,000, but if the amount exceeds $2,000 the application must also be approved by the Director of Finance.

3. Amount of Advance. The maximum amount that may be advanced under the Subsistence Expense Act of 1926, including any amount of advance or advances unaccounted for, shall be $2,000 and the minimum advance that may be made shall be $25. The maximum amount that may be advanced under the Act of June 3, 1902, shall be $4,000 and the minimum $50.

4. Rendering Accounts. If expenditures are to be made during a travel status, accounts must be rendered promptly at the end of each trip, except in the case of trips of brief duration at short intervals, and in any event monthly. If the expenditures do not involve

DEPARTMENT OF AGRICULTURE

WASHINGTON

AMENDMENT TO THE REGULATIONS

Amendment No. 134 September 8, 1941

There appears on the reverse side of this page and the succeeding page a revision of Regulation 3434. "Advancement of Funds for Expenses," which supersedes Amendments Nos. 2 and 23, dated July 17, 1936, and April 12, 1937, respectively, and is promulgated effective immediately.

The title of the section of Regulation 3434 headed "Bonds Covering Advances" has been changed to "Security for Advances" and the details regarding bonds for advances have been replaced by a reference to Regulation 3142. "Bonding of Employees, Contractors, Etc.," which now covers this subject.

No changes in the Table of Contents or Index are necessary.

Grover B. Hill

Acting Secretary

a travel status, monthly accounting will be required. A properly executed Standard Form 1039-Revised will be attached to each account rendered. Any unexpended balance must be promptly repaid as soon as the need therefor ceases. Failure properly and promptly to account for advances will be reported by the Chief Disbursing Officer to the Comptroller General of the United States, and further advances will be refused for failure so to account or for delinquencies in making repayment of any unused balance of an advance. (See Budget and Finance Memorandum No. 105)

5. Security for Advances. Advances under the Subsistence Expense Act of 1926 may be made upon the security of and up to the amount of the applicant's unencumbered credit in the Retirement and Disability Fund, provided that the applicant is not otherwise indebted to the United States, or they may be made upon the security of a bond. (See Budget and Finance Memorandum No. 105) Advances under the Act of June 3, 1902, may be made only upon the security of a bond. For information regarding bonds covering advances, see Regulation 3142.

3435. Transportation on Permanent Change of Station. An employee transferred from one official station to another for permanent duty will be allowed travel expenses when authorized by the chief of the bureau concerned or by a bureau official whom the chief has designated to authorize such expenses. However, expenses for transporting the household goods and personal effects of an employee so transferred, will be allowed only when authorized or approved by the Secretary in accordance with the following Regulations:

1. Maximum Allowances for Transportation.

a. Weight. The actual costs of transportation of the household effects and other personal property of the employee, not in excess of 5,000 pounds gross, and of the packing, crates, boxes, lift vans, or other temporary containers required for the shipment, shall be allowed: Provided, That employees who have no dependents living with them shall be entitled to the transportation of household effects and other personal property not in excess of 2,500 pounds gross. Gross weight shall include the net weight of the property and the weight of the usual containers of the property, but shall not include the weight of packing, crates, boxes, or lift vans which have no connection with the property except for the purposes of the immediate shipment and which do not constitute a continuing part of the property of the employee.

For the application of the limitations prescribed by this subsection the gross weight of the property shall be computed as being 80 percent of the combined weight of the property and the packing and crating used for the shipment: Provided, That in case of shipments involving transportation by vessel over all or part of the distance the gross weight of the property shall be computed as being 50 percent of the combined weight of the property and the packing, crating, boxing, and lift vans used for the shipment: And provided further, That when shipment is by motor freight the gross weight of the property shall be the actual weight of the goods transported. Thus, transportation will be allowed at Government expense for property when packed, crated, boxed, or placed in lift vans for shipment. within the following maximum weights:

	Pounds
Employees having dependents living with them:	
Shipment involving transportation by vessel over all or part of route - - - - - - - - - - - - - -	10,000
Shipment by rail only - - - - - - - - - - - - - -	6,250
Shipment by motor freight only - - - - - - - - - -	5,000
Employees having no dependents living with them:	
Shipment involving transportation by vessel over all or part of route - - - - - - - - - - - - - -	5,000
Shipment by rail only - - - - - - - - - - - - - -	3,125
Shipment by motor freight only - - - - - - - - - -	2,500

b. Volume. Where charges for transportation are computed on a basis of measurement rather than weight, charges will be allowed regardless of weight for not to exceed 29 measurement tons of 40 cubic feet each, inclusive of packing, crating, and lift vans: Provided, That employees who have no dependents living with them shall be allowed charges for not to exceed 22 measurement tons.

DEPARTMENT OF AGRICULTURE
WASHINGTON

AMENDMENTS TO THE REGULATIONS

Amendment No. 121 April 9, 1941

A revision of the first page of Regulation 3435, entitled "Transportation on Permanent Change of Station," appears on the reverse of this sheet and is promulgated effective as of October 10, 1940.

The wording of the opening paragraph has been revised to make clear the fact that approval by the Secretary is not required for the allowance of travel expenses on permanent change of station. There was no intention in Regulation 3435, promulgated by Amendment No. 112, dated November 30, 1940, to require Secretarial approval of such expenses; Secretarial approval of the expense of transporting household goods is still required, however.

This amendment is therefore issued to clear up any ambiguity in the Regulation which might lead to misinterpretation.

No changes are required in the Table of Contents or in the Index.

Grover B. Hill
Assistant Secretary.

Amendment No. 112 November 30, 1940

A revision of Regulation 3435 appears on the reverse of this sheet and is promulgated effective as of October 10, 1940.

Regulations 3451, "Transportation of Effects on Permanent Change of Station," and 3452, "Responsibility for Household and Personal Effects," have been consolidated with Regulation 3435 and changed to agree with Executive Order No. 8588, issued November 7, 1940, pursuant to the Act of October 10, 1940, Public No. 839, 76th Congress.

Regulations 3436, "Transportation of Officers on Duty Abroad," and 3437, "Foreign Currency," have been deleted since these subjects are covered by Regulations 3422 and 3431 and Regulation 3177, respectively.

This amendment supersedes Amendment No. 92, issued June 7, 1939.

These changes should be made in the Table of Contents and in the Index:

Table of Contents

Deletions:
- 3451. Transportation of Effects on Permanent Change of Station
- 3452. Responsibility for Household and Personal Effects
- 3436. Transportation of Officers on Duty Abroad
- 3437. Foreign Currency

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Travel expenses, employees abroad		3436
Additions: Official station, change of		3435

Paul H. Appleby
Acting Secretary.

c. Weight and volume on same shipment. When shipment must be made over such a route that the transportation necessarily involves charges based upon weight over part of the distance and upon measurement over another part of the distance, the following conditions shall apply: (1) if the weight does not exceed the limitations prescribed in subsection "a" payment shall be allowed for actual charges over the entire distance regardless of whether the measurement is in excess of the limitations imposed by subsection "b"; (2) if both weight and measurement are in excess of the prescribed limitations payment shall not be allowed for the excess by weight over that part of the distance where charges are based on weight, or for the excess by measurement over that part of the distance where charges are based on measurement.

2. Allowances for Packing, Crating, Unpacking, and Uncrating. The actual costs of packing, crating, unpacking, and uncrating shall be allowed: Provided, That no charges shall be allowed for the packing, crating, unpacking, and uncrating of property in excess of the weight or measurement allowable under section "1" of these regulations.

3. Allowances for Drayage. The actual costs of drayage to and from the common carrier shall be allowed: Provided, That in no case shall costs of drayage be allowed where door-to-door common carrier rates are applicable.

4. Means of Shipment. Shipment shall be made by the most economical means, taking into consideration the costs of packing, crating, drayage, unpacking, and uncrating: Provided, That, in computing comparative costs, the allowance which may be made for the saving of charges for packing, crating, drayage, unpacking, and uncrating resulting from the use of motor freight shall in no case exceed $2.50 per hundred pounds: And provided further, That when the Secretary determines it to be in the interest of the Government, he may specifically authorize the shipment by express of articles required for immediate use at the new official station (for example, professional books, wearing apparel, bedding, or kitchen utensils, but not furniture or jewelry), which shall in no case exceed a weight of 500 pounds for employees having dependents living with them or 250 pounds for employees having no dependents living with them.

5. Use of Government Bill of Lading. Shipment shall be made on Government bill of lading whenever possible; otherwise reimbursement shall be made to the employee for transportation expenses actually and necessarily incurred within the limitations prescribed by these regulations. If property in excess of the amount allowable under these regulations is shipped on a Government bill of lading with the authorized allowance the employee shall immediately pay an amount equal to the charge for the transportation of such excess to the proper bureau officer for deposit.

6. Computation of Excess Costs. Excess costs payable by the employee shall be computed from the total charges according to the ratio of excess weight to the total weight of the shipment.

7. Use of Lift Vans. Charges allowable hereunder for packing and crating and for transportation shall include expenses incurred in hiring, transporting, and packing lift vans when shipments are made in whole or in part by water, but shall not include charges in connection with any shipment of empty lift vans or for payment of storage charges or import duties on lift vans.

8. Items Not Allowable. For the purposes of these regulations household goods and other personal effects shall not include groceries, provisions, wines, liquors, animals not necessary in the performance of official duties, birds, or automobiles.

9. Valuation. The valuation of property as declared for shipping purposes shall not exceed that at which the lowest freight rates will apply. Should the employee desire a higher valuation, he must assume all costs of transportation in excess of the charges at the lowest rate.

10. Shipment from Point Other Than Last Official Station. The expenses of transportation allowable hereunder shall be payable whether the shipment is from the last official station of the employee to the new one, or from some previous place of residence of the employee to the new official station, or partially from both: Provided, That the expenses payable shall in no case exceed the costs of shipment by the most economical route from the last official station to the new: And provided further, That no expenses shall be allowable for the transportation of property acquired en route from the last official station to the new.

11. Time Limit. All shipments allowable under these regulations shall begin within six months of the effective date of the transfer of the employee unless an extension is specifically granted by the Secretary: Provided, That in no case shall payment be allowable for shipments begun after two years from the effective date of the transfer.

12. Shipment by American Vessels. All shipments of property by water shall be made on ships registered under the laws of the United States where such ships are available.

13. Transfer for Convenience of Employee. If a transfer is made at the request and primarily for the convenience or benefit of an employee, no payment shall be allowed from Government funds for the packing, crating, drayage, transportation, unpacking, or uncrating of the household goods or other personal effects of the employee.

14. Preparation of Vouchers. In preparing vouchers for payments under these regulations the following conditions shall be observed:

a. Statement of weight. When charges for transportation are based upon weight, the actual (not estimated) weight shall be shown.

b. Itemization of charges. Where services rendered cover, in addition to transportation, such other services as packing, crating, drayage, unpacking, and uncrating, the total charge for the services shall be itemized so as to show the charge for each service.

c. Payment by more than one voucher. Where all the services rendered in connection with moving the household effects of an employee are not covered by a single voucher, vouchers covering payment for subsequent charges shall bear a reference to prior vouchers.

Travel Expenses

3438. Airplane Travel

1. Approval Required for Airplane Travel

a. Where no excess cost is involved. Letters of authorization or orders to perform official travel for the Department of Agriculture, unless specifically restricted, authorize transportation by commercial airlines and no other approval is required in cases where (a) the cost of air travel to the Government, taking into consideration salary and subsistence savings, is not in excess of the cost of travel by other usual means of transportation, or (b) no other usual means of public transportation exists.

b. Where excess cost is involved *and there is no emergency*

(1) Travel by air, when the cost exceeds that of travel by other usual means of public transportation, must be specifically approved in each case by the Director of Finance, unless the travel is necessitated by an emergency involving the loss of life or property.*** The Director of Finance will approve airline travel where excess cost is involved only if it is established that (a) the necessary purpose of official travel cannot be accomplished by other usual means of transportation or (b) travel by airline is absolutely necessary in the public interest.

(2) Advance approval for airline travel at excess cost to the Government should be obtained if time permits. When it is impossible to obtain approval in advance, the traveler or the person directing the travel by air will be held accountable for the amount of the excess cost if the need for such travel is not satisfactorily established.

(3) *When the approval of the Director of Finance is required for air travel, a memorandum of justification must be submitted by the traveler or on his behalf. Such justifications must be approved by bureau chiefs or by officials designated by them, and forwarded in triplicate to the Director of Finance who will act upon the justifications and return them in duplicate to the bureaus.*

c. *Where excess cost is involved and there is an emergency*

Travel by air necessitated by emergencies involving the loss of life or property, when the cost exceeds that of travel by other usual means of public transportation, must be approved by chiefs of bureaus, business managers of bureaus, heads of regional offices, or such other ranking officials as bureau chiefs may designate. In such cases, no justification needs to be submitted for the approval of the Director of Finance.

2. Determining Comparative Costs

a. General. *An official specifically authorizing travel by air or a traveler contemplating the use of airlines without specific approval should determine in advance whether additional cost to the Government will result. In making such determination, per diem and salary savings shall be calculated in accordance with subparagraphs (b) and (c) below and the comparison of costs shall be made as outlined in subparagraph (d) below.*

b. Per diem savings. Per diem savings are determined by deducting the amount of per diem incurred by air travel from the amount that would be payable if the trip were taken by train or other surface conveyance. The per diem rate named in the travel order should be used.

3438 (cont.)

c. Salary savings. Salary savings are computed on the basis of daily salary for regular hours of duty during which the traveler is enabled to be at his official station, through the use of airlines, and during which he would have been away had he traveled by *other means of public transportation. Salary savings are exclusive of all days or parts of days which are not official periods of duty at the employee's station. Salary savings for fractional parts of a day are computed on the basis of the number of hours saved in proportion to the number of regular working hours in a day, but not less than two hours saving on any one day may be claimed. Time gained away from official station may not be counted in computing salary savings.*

d. *Comparison of costs. To determine whether excess cost will result from airline travel, the fare charged by commercial airline minus per diem savings and minus salary savings should be compared with the fare charged by other usual means of public transportation.*

3. Submission of Voucher. Reimbursement vouchers covering travel by airline will be submitted for payment in the usual manner, with either a showing that there was no excess cost to the Government or with a properly approved justification of the excess cost incurred.

3439. Extra Fare Trains. *The same regulations apply to travel by extra-fare trains as to travel by commercial airlines, and the same procedure will be followed.*

3438. Airplane Travel

(a) Authorization

(1) Where no excess cost is involved

Letters of authorization or orders to perform official travel for the Department of Agriculture, unless specifically restricted, authorize transportation by commercial air lines under the authority contained in Section 8 of the Standardized Government Travel Regulations, "In cases where (a) the cost thereof, taking into consideration salary and subsistence savings, is not in excess of travel by other usual means of public transportation, or (b) there is no other usual means of public transportation available." The Department construes "available" as synonymous with "existing".

(2) Where excess cost is involved

If under an otherwise sufficient letter of authorization, airplane travel is necessary in an emergency for the saving of life or property its cost will be allowed without approval by the Secretary. Otherwise, if the cost exceeds that of travel by other usual means of transportation, his specific approval must be obtained. Such approval will be granted only if it is established that (a) necessary purposes of official travel cannot be accomplished by other usual means of public transportation or (b) travel by air line is absolutely necessary in the public interest.

(b) Instruction - Determining Comparative Cost

(1) General

A traveler contemplating the use of air lines without specific approval should determine in advance whether additional cost to the Government will result. "Comparative cost charts" issued by air lines should be used with caution, as they are based on one-way rather than round trips and make no allowance for Saturdays, Sundays, and holidays. If any doubt as to the accuracy of a computation exists, the traveler should, if possible, consult the Traffic Section of the Department (or in the field a regional fiscal officer). Computations may be made on Form AD-154, "Justification for Air Travel".

(2) Per Diem Savings

Per diem savings are determined by deducting the amount of per diem claimed from the amount payable if the trip were taken by train or other surface conveyance. The per diem rate named in the travel order should be used.

(3) Salary Savings

Salary savings are computed on the basis of daily salary for regular hours of duty during which the traveler is enabled to be at his official station through the use of air lines and during which he would have been away had he traveled by train, etc. Saturday afternoons, Sundays, and holidays shall not be counted, even though official duty is performed thereon. Fractions of days are to be computed at the rate of 1/7 day per hour, and not less than two hours' saving on any one day may be claimed. Saturday shall be considered a half-day rather than 4/7 of a day (Comp. Gen.'s Decision A-75443, June 30, 1936), although each hour on Saturday is 1/7 of a day.

Time gained at point of duty away from official station may not be counted in computing either per diem or salary savings.

(4) Net Cost of Air Travel

The net cost of air travel, to be compared with that of travel by other usual means of public transportation, is the fare charged plus any cost of transportation between airports and places of duty or hotels in excess of 75 cents per one-way trip, minus per diem and salary savings.

DEPARTMENT OF AGRICULTURE

WASHINGTON

December 16, 1939.

AMENDMENT TO THE REGULATIONS

Amendment No. 93

There appear on the reverse side of this and the subsequent sheet revisions of Regulations 3438 and 3439, entitled "Airplane Travel" and "Extra-Fare Trains," which are promulgated effective January 1, 1940. The new Regulations are designed to present in condensed form all necessary information regarding these topics, and they supersede Secretary's Memoranda 767, 817, and 834 and Budget and Finance Circulars 27 and 99, as well as the previous Regulations.

Form AD-154, the use of which is prescribed by the new Regulations, may be obtained from the Central Supply Section.

Inasmuch as the order in which airplane travel and extra-fare trains are covered has been reversed, the Table of Contents and Index should be changed as follows:

Table of Contents:

Change "3438. Extra-Fare Trains" to
"3438. Airplane Travel"

Change "3439. Airplane Travel" to
"3439. Extra-Fare Trains"

Index:

Change the following:	From:	To:
"Airplane Travel	3439	3438"
"Travel		
airplane	3439	3438
extra-fare trains	3438	3439"

Add the following:

"Extra-Fare Trains 3439"

M. L. Wilson

Acting Secretary.

(c) Procedure - Obtaining Approval of Air Travel at Increased Cost to Government

(1) Advance Approval to be Obtained if Possible

Except in emergencies involving the saving of life or property, air line travel at excess cost to the Government will be allowed only if specifically approved in each case by the Secretary. If time permits, advance approval should be requested. When it is impossible to obtain approval in advance, the traveler must decide on his own responsibility whether or not the excess cost of air travel is justified. Requests for post approval will receive the same scrutiny as those for advance approval.

(2) Submission of Request for Approval

When approval for air travel at excess cost is desired, a memorandum of justification therefor, preferably on Form AD-154, "Justification for Air Travel", will be submitted by the traveler or on his behalf. Each justification must be approved by the chief of bureau or by an official designated by him and then forwarded in triplicate to the director of finance who will, if he assents, initial the justification and forward it to the Secretary for approval. The latter will act upon the justification and return it to the traveler in duplicate.

(3) Emergencies

If travel by air, under an otherwise sufficient letter of authorization, is to be or has been performed in an emergency involving the saving of life or property, no justification need be submitted for Departmental approval. Chiefs and business managers of bureaus, heads of regional offices, and such other ranking officials as bureau chiefs may designate, may approve the excess cost of air travel in such emergencies.

(d) Submission of Voucher

Reimbursement vouchers covering travel by air line will be submitted for settlement in the usual manner, with either a showing that there was no excess cost to the Government or a properly approved justification of the excess cost incurred, attached.

3439. Extra-Fare Trains

The same conditions apply as with the use of air lines, and the same procedure will be followed. When Form AD-154 is used to cover travel by extra-fare trains, the words "Air Travel" in the title will be crossed out and the words "Use of Extra-Fare Trains" inserted, and the text changed to correspond.

TRAVEL BY SPECIAL CONVEYANCE

3441. General Provisions.- The hire of special conveyances will be allowed only when no public or regular means of transportation are available or when such regular means of transportation can not be used advantageously in the interest of the Department, in which case a satisfactory explanation must accompany the account.

No rental agreement for the use of an automobile may exceed the maximum limitation placed by law upon the amount which may be expended in any one year for the maintenance, upkeep, and repair, exclusive of garage rent, pay of operators, tires, fuel and lubricants. Proposals and/or rental agreements including in the consideration payment for furnishing any of the authorized excepted services should specify the amounts allotted to such services.

Charges for the hire of a conveyance of another Government employee, of a member of the traveler's family, or of a member of the family of another Government employee, will not be allowed in the absence of a satisfactory showing that the conveyance was not so procured because of such personal or official relationship; that it was impracticable to otherwise procure, that the member of the family so furnishing was not dependent upon the traveler for support; and the arrangement was approved in advance by the chief of bureau. The material facts and evidence of the approval of chief of bureau should be reported in the account.

3442. Actual Expense Basis for Use of Own Conveyance.- When an officer or employee travels on official business away from his designated post of duty or official station he may be authorized to use his own conveyance on an actual-expense basis, provided:

(a) that the aggregate of allowable expenses, plus increased subsistence expenses, if any,

through increased travel time, or less subsistence savings, if any, through reduced travel time, as the case may be, does not exceed the cost of transportation available by common carrier, and

(b) such mode of travel has been previously authorized by the Secretary or by an official to whom such authority has been properly delegated.

For such travel on an actual-expense basis the officer or employee will be entitled to reimbursement of the cost of gasoline, oil, and feed of horses, and in addition thereto garage or hangar rent and stabling of horses, while officially detained en route, and bridge, ferry, and other tolls. For the purpose of determining the amount of increased subsistence expenses or subsistence savings for a given period of time, the per diem rate of subsistence named in the travel order will be used.

Charges for repairs, depreciation, replacements, grease, alcohol, flushing crank cases, towage, and like speculative expenses will not be allowed. Charges for lubrication of a privately owned automobile when used for official travel by the owner thereof, however, may be reimbursed when identified with and actually incurred as an incident to the particular travel. Reimbursement may be made for alcohol purchased only when the automobile is used exclusively on official travel. Reimbursement of such speculative charges may not be allowed when the automobile is used at the official station of the employee or is available otherwise for personal use in addition to the official business trips.

Where an employee uses his own automobile on authorized travel and is accompanied by another employee also entitled to transportation at Government expense, reimbursement of the entire necessary cost of gasoline and oil consumed on the

journey may be made to the owner of the automobile if not in excess of what it would have cost the Government to have furnished transportation for both employees by a common carrier over the shortest usually traveled route.

To facilitate travel, the traveler should pay the Federal tax on gasoline and oil and claim reimbursement for the full price of the gasoline and/or oil, including the tax.

Exemption from payment of the State tax on gasoline in States providing such exemption must invariably be claimed. The standard Federal forms should be used for that purpose. When exemption is refused, receipts must be obtained in duplicate.

3443. Mileage Basis for Use of Own Conveyance.- Mileage in lieu of actual expenses of transportation may be allowed an employee traveling by his personally-owned motorcycle or automobile on official business away from his designated post of duty or official station, at rates not exceeding 2 cents per mile for motorcycles and 5 cents per mile for automobiles, provided such mode of travel and the rate per mile have been previously authorized by the Secretary or by an official to whom such authority has been properly delegated and payment on the mileage basis is more economical and advantageous to the United States.

The following officials of the Department are delegated to authorize mileage in lieu of actual expenses of transportation; chief of bureau; regional forester, director of forest experiment station, Forest Service; district engineer Bureau of Public Roads; regional conservator, Soil Conservation Service.

In determining whether motor travel on a mileage basis is more economical and advantageous to the United States and in fixing the rate per mile, consideration will first be given to the

advantage resulting from the more expeditious transaction of public business, as well as to other advantades and/or disadvantages to the United States in the particular case, and if such motor travel be determined to be more advantageous, consideration will then be given to the economy of mileage cost at the mileage rate to be determined as compared with the cost of travel by common carrier or other usual mode of transportation, plus additional subsistence per diem, if any, through increased travel time, or less subsistence savings, if any, through reduced travel time, as the case may be. The fixing of the mileage rate after the travel has been performed at such an amount as would equal or not exceed the cost of travel by common carrier does not comply with the intent and purpose of the statute.

For the purpose of determining the amount of increased subsistence allowance or subsistence savings for a given period of time, the per diem rate of subsistence named in the travel order will be used.

Mileage for use of personally-owned motorcycle or automobile must be computed beginning and ending at limits of the official station, as mileage for use of personally-owned motorcycle or automobile will not be allowed for travel within post of duty. (See also Paragraph 3427.)

When by general order employees engaged in necessary travel on official business, away from their designated post of duty or official station, are authorized to use their own motorcycles or automobiles, at not to exceed certain rates of mileage within their respective limited territories whenever the cost thereof is more economical and advantageous to the United States, there must be attached to the vouchers covering payment of such mileage a statement of fact showing that the use of the motorcycle or automobile and the payment on a mileage basis were more advantageous and economical to the United States or that public transportation was not available.

Gasoline-tax exemption must not be claimed when traveling on a mileage basis. The allowance of mileage to an employee for the use of his personally-owned motorcycle or automobile on official travel is a commutation of the expense of operating such motorcycle or automobile and precludes any additional allowance on an actual-expense basis for repairs thereto or storage incident to such travel.

TRANSPORTATION OF FAMILIES

3461. Transportation of Officers' Families Traveling Abroad.- The expenses of transportation and subsistence of officers of the foreign agricultural service and their immediate families in going to and returning from their posts under orders, whether on initial assignment, transfer, or recall, or on leave after three years or more of continuous service abroad, may be paid when traveling under orders from the Secretary of Agriculture. (600) (See also Paragraph 3416.)

FREIGHT AND EXPRESS

3471. Freight. The standard Government bill of lading form prescribed by the Comptroller General should be used for all freight and express shipments chargeable to Department funds. Forms filled in at least as to appropriation from which charges should be payable, office to whom charges should be billed, consignee and destination, and issuing officer's certificate should be supplied contractors or vendors called upon to ship material at Department expense.

If a freight shipment, which has moved on commercial bill of lading, is received and transportation charges are payable by the Department a Government bill of lading form will be made out in skeleton, showing point of origin, destination, purchase order and appropriation from which freight charge is payable, and noting in the space provided for description of shipment the following: "Converted commercial bill of lading, original commercial bill of lading attached." The original commercial bill of lading will be attached thereto and consignee's certificate of delivery will be accomplished in the usual manner. The original converted bill of lading with commercial bill of lading attached will be surrendered to delivering agent.

When a Government bill of lading has been issued for a shipment, but has not been received by the consignee, a certificate in lieu of lost bill of lading should be executed and surrendered to the delivering agent in the same manner as an original bill of lading.

3472. Express.- Express should not be used unless as cheap and more convenient than mail, where mail is practicable, nor substituted for freight unless the slower movement would sacrifice some real advantage, or unless the express rate is

less than the minimum freight charge for packages. If consignor has failed to use Government bill of lading, consignee should on receipt of the shipment fill out a Government bill of lading form, original and memorandum, as completely as possible as to shipper, shipping point, consignee, destination, description and weight of consignment, and loss, damage, or shrinkage, if any; attach to the original the express receipt, commercial bill of lading or other evidence of the shipment; execute the certificate of delivery but not consignor's certificate; and deliver original to express agent.

Charges for express services are subject to land-grant deductions the same as if the service were performed by the participating railroads subject to land-grant laws.

In the case of express shipments the value of all shipments must be inserted on the bill of lading and marked on the package or packages by shipping officers. In order that full advantage may be taken by the Government of the opportunities for economies, the lowest or "released" valuation should be specified in every case where the shipments are made up of non-fragile and/or inexpensive items such as clothing, records, merchandise, etc., on which protection against damage or loss is clearly a matter of insurance. Only in shipments containing fragile and/or costly items such as money, precious metals, delicate scientific instruments, x-ray tubes, radium, etc., requiring the highest degree of care in handling by the carrier, and where the carrier renders actual service in protecting the shipments against damage or loss, is it permissible to declare actual or increased values and pay a consideration for such special service. Savings of considerable magnitude may be effected by closely adhering to the long and well established policy of the Government, in assuming its own risks in the same manner as is common among private interests having extensive holdings of consumable property.

3473. Shipments Requiring Customhouse Clearance.- Shipments requiring customhouse clearance should be consigned, if trans-Atlantic, to the United States Dispatch Agent, No. 45 Broadway, New York City; if trans-pacific, to Department of Interior, Seattle, Washington, and United States Dispatch Agent, Ferry Post Office Building, San Francisco, California. Written advice should be sent consignee early enough to be received not later than the shipment, requesting him to clear importation through customhouse and instructing as to its disposition. Ordinarily these instructions should direct the forwarding of the goods in bond to the customhouse at or nearest ultimate destination. No charge should be incurred for customhouse brokerage fees; and any consignment of imported goods to an express or forwarding company, if necessary in particular cases, should be made under a prior arrangement with the consignee to secure customs clearance without expense to the Department.

EXPENSE ACCOUNTS

3481. Expense Accounts. *The Office of Budget and Finance has the responsibility of preparing a general guide to illustrate acceptable ways of presenting expense accounts to the end that uniformity, as far as practicable, may be obtained and that payment may be made promptly. All persons authorized to travel on business for the Government should keep a memorandum of expenditures properly chargeable to the Government, noting each item at the time the expense is incurred, together with the date, so that the necessary information will be available for the proper preparation of expense accounts. Employees traveling on official business are expected to exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business.*

Expense accounts must be submitted in accordance with the provisions of Standardized Government Travel Regulations, as amended. Any person rendering an expense account containing reimbursement items must certify that the account is just and true in all respects. Falsification of an item in an expense account works a forfeiture of the entire claim. (The penalty as prescribed by law for presenting a false claim is a fine of not more than $10,000, or imprisonment for not more than 10 years, or both.) (1231)

(Regulations 3482 and 3483 are cancelled.)

SUBMISSION OF ACCOUNTS

3481. Expense Accounts.- Expense accounts should contain full information concerning the travel performed, including means of transportation, unusual delays en route, delays or stopovers for personal reasons including the time of suspending and resuming travel, and the dates and hours of arrival at and departure from each duty point except duty stops of a few hours only.

Vouchers for reimbursement for gasoline and oil used in traveling in the employee's own automobile when operated on the actual expense basis on official business should not only show the quantity of gasoline and oil used, the unit price per gallon paid, and the places between which the travel was performed and the distance, but should also show the make of the automobile and any unusual conditions existing at the time and place of travel.

Receipts covering traveling expenses (gasoline, oil, etc.) must be submitted to establish the actuality and corectness of any expenditure in excess of $1.00 for which reimbursement is claimed.

The number and status (i.e., whether official travelers or not) of additional passengers, if any, should be stated in the travel voucher in accordance with instructions contained in Paragraph 3435.

3482. Verification of Accounts.- All expense accounts containing reimbursement items must be verified by an oath sworn to by the person rendering the account, when provided on the reimbursement voucher form, unless the traveler be at a place so remote as to make impracticable execution of the oath, in which event the circumstances must be satisfactorily explained.

Postmasters, assistant postmasters, collectors of customs, collectors of internal revenue, chief clerk of the Department and chief clerks of the bureaus, clerks designated by them for the purpose, and the chiefs of field parties are required, empowered, and authorized, when requested, to administer oaths, required by law or otherwise, without charge to accounts for travel or other expenses of salaried officers or employees of the United States against the United States, with like force and effect as officers having a seal.

3483. Penalty.- A penalty is prescribed of a fine of not more than $5,000 or imprisonment not more than 10 years, or both, for a false or fictitious entry or record in a travel account.

3491. Death of Employees in Travel Status or on Foreign Assignment.

1. General Provisions. The following definitions and provisions are to be used in the application of this Regulation which covers the payment of expenses of preparing and transporting the remains of employees who die while traveling on official duty; and the payment of expenses of preparing the remains and transporting the remains, effects, and dependents of employees who die during assignment to a post outside the continental limits of the United States, or while in transit to or from such post.

a. Definition of Terms.

(1) "Employee" means an officer or employee of the Department.

(2) "Home" means a fixed or permanent dwelling place synonymous with place of fixed abode as distinguished from a mere temporary residence.

(3) "Dependents" includes a lawful widow; children; stepchildren and adopted children, if unmarried, under twenty-one years of age, and in fact dependent upon the decedent for support, or if physically or mentally incapable of self-support regardless of age; and dependent parents who were a part of the decedent's household.

(4) "Continental United States" means the 48 states and the District of Columbia.

b. Notification of Relatives. When the chief of the bureau or office is informed of the death of an employee while in any status subject to the provisions of this Regulation, he shall notify immediately the next of kin or legal representative of the decedent and render every reasonable assistance in arranging for preparation and transportation of the body. He shall also inform the next of kin or legal representative of the provisions of this Regulation.

c. Method of Payment of Expenses. The chief of the bureau or office concerned may (with the approval of the Secretary as provided herein) authorize payment of the expenses allowable under this Regulation either directly to the persons performing the prescribed services or by reimbursement to any person who has made original payment of such expenses.

d. Death During Period of Absence from Duty. When an employee dies while temporarily absent from duty during a period of travel on official business or during the period of his assignment to a post outside the continental limits of the United States, the provisions of this Regulation shall apply, except that the amount allowed for the transportation of the remains to the place of interment shall not exceed the amount which would have been allowable had death occurred at the point from which the decedent departed on such temporary absence.

e. Escort for Remains. Transportation expenses of an escort for the remains shall not be allowed. However, this shall not be construed to prohibit the use by an escort of one of the two tickets

DEPARTMENT OF AGRICULTURE

WASHINGTON

November 15, 1940

AMENDMENT TO THE REGULATIONS

Amendment No. 109

There appears on the reverse side of this and subsequent sheets an addition to the Regulations of the Department, designated "3491. Death of Employees in Travel Status or on Foreign Assignment."

The purpose of this new addition is to incorporate the provisions of Executive Order No. 8557, "Prescribing Regulations Governing the Payment of Expenses Incurred in Connection with the Death of Certain Civilian Officers and Employees of the United States," issued pursuant to the Act of July 8, 1940, Public No. 729, 76th Congress, in the Regulations of the Department. Primarily this Regulation authorizes and prescribes the methods of payment by the Department of expenses incurred relative to the transportation of the remains, effects and dependents of employees who die while traveling on official business or during a period of assignment to a post outside the United States.

The provisions of this Regulation are promulgated effective September 6, 1940.

The following additions should be made in the Table of Contents and in the Index:

Table of Contents:

Index:

Paul H. Appleby

Acting Secretary.

required to ship the remains as baggage by railroad.

f. Use of Government Bill of Lading. If the shipment of remains is made by express, a Government bill of lading shall be used whenever possible.

g. Use of Standard Form No. 1034. Standard Form No. 1034 Revised shall be used for the payment of expenses other than shipment by express whenever possible. When such vouchers are used to cover the payment of expenses in connection with employees or officers who have died while outside the continental limits of the United States they should be sent to the Director of Finance for transmittal to the Secretary.

h. Funds Available. Payment of expenses incurred under these Regulations shall be made from the appropriation available for the activity in which the employee was engaged.

i. Eligibility. No payments of expenses which are provided for elsewhere in the Department Regulations or in the laws of the United States shall be made under this Regulation. (Certain expenses arising in the event death has resulted from injuries sustained while in the performance of official duty are excluded--See Regulations 1555 and 3124.) Nothing herein contained, however, shall deprive any person of any payment here authorized because of the fact that the deceased employee was eligible for burial benefits on account of service rendered in the armed forces of the United States.

2. Preparation and Transportation of Remains of Employees Within the United States. When an employee dies while traveling on official business within the continental limits of the United States, the chief of the bureau or office concerned is delegated the authority to pay the expenses of preparing the remains of the decedent and of transporting the remains to the home or official station of the decedent or to such other place as the chief of the bureau or office may designate as the appropriate place of interment, provided that in no case shall the expenses payable be greater than the amount which would have been payable had the place of interment been the home or official station, whichever shall be more distant.

a. Preparation of Remains. The costs of preparing the remains, allowable under this Regulation, shall include costs of embalming, cremation, necessary clothing, and casket. The total amount of such preparation shall not exceed $100.

b. Transportation of Remains. The costs of transporting the remains, allowable under this provision, shall include the costs of removal of the remains from the place where death occurred to an undertaking establishment, procurement of burial and shipping permits, furnishing an outside case for shipment (including, when necessary, the sealing of such shipping case), removal to a common carrier, transporting the body by common carrier, and one removal at the place of interment from the common carrier to an undertaking establishment or other place of immediate delivery. Instead of conveyance by common carrier, removal of the remains overland by hearse (including ferry charges, bridge tolls, and similar items) may be allowed, provided that the total charges for transportation shall not exceed the total costs of transportation had conveyance been made by common carrier. If conveyance is by hearse, no allowance shall be made for an outside shipping case.

3. Preparation and Transportation of Remains of Employees While on Official Business or Assignment Outside the Continental United States. When an employee dies while traveling on official business outside the continental limits of the United States or while on assignment to a post outside the United States, the chief of the bureau or office concerned with the approval of the Secretary, shall pay the expenses of preparing the remains of the decedent and of transporting the remains to the home or official station of the decedent or to such other place as the chief of the bureau or office may designate as the appropriate place of interment, provided that in no case shall the expenses payable be greater than the amount which would have been payable had the place of interment been the home or official station, whichever shall be more distant.

a. Preparation of Remains. The costs of preparing the remains, allowable under this provision, shall include all the ordinary costs of embalming, cremation, necessary clothing, and a casket or container suitable for shipment to the place of interment. There shall also be allowed any expenses necessarily incurred in complying with local laws and laws at the port of entry in the United States relative to the preparation of dead bodies for transportation and burial. The chief of the bureau or office concerned shall be accountable for the reasonableness of the costs allowed under the provisions of this paragraph.

b. Transportation of Remains. The costs of transporting the remains, allowable under this Regulation, shall include the charges for removal of the decedent's remains from the place where death occurred to an undertaking establishment, from the undertaking establishment to a common carrier, and thence by common carrier to the place of interment, and one removal at the place of interment from the common carrier. The remains may be transported by means other than by common carrier, provided that when conveyance by common carrier is available there shall be allowed toward the expense of such other transportation an amount not in excess of the sum allowable had the remains been transported by common carrier.

4. Transportation of Dependents, Personal Property, and Household Effects of Employees Dying while on Assignment Outside the United States. When an employee dies during a period of assignment to a post outside the continental limits of the United States or while in transit to or from such post, the chief of the bureau or office concerned, with the approval of the Secretary, shall pay the costs of transporting the dependents of the decedent and the household effects and other personal property of the decedent and his dependents to his former home or to such other place in the United States not more distant than the former home as the chief of the bureau may designate.

a. Transportation of Dependents. The costs of transporting dependents, allowable under this provision, shall include the actual costs of transporting such of the dependents of the decedent as are outside the continental limits of the United States to a designated destination, provided that the costs shall not exceed the costs of transportation by the most direct route from the official station of the deceased employee to said destination, and provided that travel is undertaken during the period of one year from the date of death of the decedent. Such transportation shall be subject to the provisions of the Standardized Government Travel Regulations and to the Department Regulations and rules then in effect.

b. Transportation of Personal Effects. The costs of transporting personal property other than household effects, allowable under this provision, shall include the expenses actually and necessarily incurred in transporting said personal effects as baggage, subject to the provisions of the Standardized Government Travel Regulations and the Department Regulations and rules governing the payment of charges for the transportation of baggage generally. Expenses in connection with the transportation of baggage by private conveyance which would not have been incurred had the baggage been transported by common carrier shall not be allowed. Reimbursement for loss or damage to baggage during transit shall not be allowed, nor shall charges for marine and other insurance be allowed.

c. Transportation of Household Effects. The costs of transportation of household effects allowable under this Regulation shall include costs of packing, crating, drayage, and transportation subject to the following restrictions governing payment of such costs.

(1) Items allowable as household effects. Household effects shall be deemed to include such furniture and furnishings as are usual and necessary for the maintenance of a household establishment and as are of sufficient intrinsic value reasonably to justify their transportation, but for the purpose of this Regulation shall not include groceries, provisions, wines, liquors, animals, or birds.

(2) Shipment usually to be by freight by most economical route. Shipment of household effects shall be made by ordinary freight service by the most economical route unless otherwise specifically authorized by the chief of the bureau concerned. In the absence of such authorization, the expense of shipping household effects by a method other than that indicated above shall be allowed in an amount not to exceed the cost of shipping such effects by freight by the most economical route.

(3) Maximum allowances of weight and volume allowable. Except as hereinafter provided, the maximum number of pounds of household effects when packed and crated, or boxed, or packed in lift vans for shipment by freight, for which payment shall be allowed, shall be as follows:

CLASS OF PERSONNEL	When family is at post	When family is not at post
Employees in grade CAF-15 or above or receiving a salary payable in such grade or above - - - - - - -	24,000	19,000
Employees in grade CAF-12, CAF-13, or CAF-14, or receiving a salary payable in such grades - - - - -	20,000	15,500
Employees in grade CAF-9, CAF-10, or CAF-11, or receiving a salary payable in such grades - - - - - - -	16,500	12,000
Employees in grade CAF-6, CAF-7, or CAF-8, or receiving a salary payable in such grades - - - - - - -	13,000	8,500
Employees in grade CAF-5 or below or receiving a salary payable in such grade or below - - - - - - - - - -	11,400	6,720

When shipment of effects for any portion of the journey is covered by a bill of lading stating that charges are computed only on a measurement basis instead of a weight basis, the maximum number of measurement tons (measuring 40 cubic feet each) for which payment shall be allowed, shall be as follows:

CLASS OF PERSONNEL	When family is at post	When family is not at post
Employees in grade CAF-15 or above or receiving a salary payable in such grade or above - - - - - - -	60	49
Employees in grade CAF-12, CAF-13, or CAF-14, or receiving a salary payable in such grades - - - - -	52	40
Employees in grade CAF-9, CAF-10, or CAF-11, or receiving a salary payable in such grades - - - - -	43	33
Employees in grade CAF-6, CAF-7, or CAF-8, or receiving a salary payable in such grades - - - - - - -	34	26
Employees in grade CAF-5 or below or receiving a salary payable in such grade or below - - - - - - - - - -	31	24

When shipments involve weight consideration over one portion of the distance and measurement over another portion, payment shall be allowed for charges for the entire distance regardless of measurements if the weight does not exceed the weight limitations previously indicated. Payment of actual charges shall also be allowed for the entire distance regardless of weight, provided the measurements do not exceed those previously indicated.

When shipments involve weight and measurement considerations over different portions of the distance, and measurement and weight are both in excess of the limitations herein prescribed, payment shall not be allowed for weight excess where weight considerations are involved or for measurement excess where measurement considerations are involved. Allowances for packing shall be computed on the basis (weight or measurement) used in computing shipment charges at the initial stage of transit.

Within the continental limits of the United States, where the transportation of maximum allowances prescribed above at less than carload rates would cost as much as, or more than, a minimum carload, transportation of a minimum carload may be allowed regardless of the volume or weight of the shipment.

(4) Shipment to be made on American ships. If household effects must be transported by vessel, shipment shall be made on American ships unless otherwise specifically authorized by the chief of the bureau or office concerned in accordance with Regulation 3416.

(5) Other costs allowable in connection with transportation of household effects. Payment shall also be made of expenses incurred in hiring and transporting lift vans, and in packing and crating, or boxing, or packing in lift vans for shipment. Allowance shall not be made for charges in connection with any shipment of

empty lift vans, or for payment of storage charges or import duties on lift vans.

(6) Time limit on shipment of effects. Shipment of effects shall be made within one year of the death of the officer or employee, unless an extension is granted by the chief of the bureau or office concerned, with the approval of the Secretary, prior to the expiration of that time. (Public No. 729, 76th Congress and Executive Order No. 8557.)

4. PROPERTY REGULATIONS

1. Acquisition of Property
2. Management of Property
3. Recordation of Property
4. Disposal of Property

PURCHASE OF PROPERTY

4111. Acquisition of Property by the Department.- Subject to the provisions of law, these regulations, and the fiscal and administrative regulations of the Department, property may be acquired (1) by purchase upon requisition or contract, or, in the field, under letters of authorization; small emergency purchases of supplies and materials for use in Washington, D. C. may also be made under letters of authorization (See also Paragraph 3333.); (2) by manufacture within the Department; or (3) by purchase or transfer from another department or establishment of the Government. Each purchase or acquisition by manufacture within the Department shall be evidenced by a written requisition, contract, shop request, or memorandum approved by the chief of the bureau or an employee duly authorized by the chief of the bureau for which the article was purchased or manufactured. Transfers from another department or Government establishment shall be evidenced by copies of the transfer records approved by the chief of the division of purchase, sales, and traffic. Immediately upon the delivery to a bureau of a non-expendable or semi-expendable article which has been acquired by purchase, manufacture, or transfer, the fact that the article has been received shall be reported to the property clerk who shall see that a record of the article is made without delay on the property records of the bureau. (1851)

4112. Requisition for Supplies and Equipment.- In view of the facilities available in the central supply section, care should be exercised to limit requisitions for bureaus and offices in Washington, D. C. to supplies and equipment for actual needs. Field requisitions on property clerks for supplies and equipment should be made quarterly, or semiannually, as far as practicable. A copy of the requisition will be retained by the ordering officer for checking the articles when received from the property clerk.

4113. Purchase of Automotive Equipment. All bids for automotive and road-building equipment, including tractors, boats, and outboard motors shall be obtained, and acceptance thereof made, by the Chief, Division of Purchase, Sales, and Traffic. (75, 76, 77)

4114. Purchase of Published Materials

Legal Restrictions. Law books, books of reference, periodicals, newspapers, and other published materials (hereinafter called "Published materials") for use in Washington, D. C., may be purchased only from appropriations specifically providing therefor. (99, 100, 1739) This restriction does not apply to published materials required for field use.

Responsibilities of Department Librarian. The Department Librarian shall (a) determine the policies governing the selection of published materials to be purchased from Department funds, (b) purchase or otherwise acquire all published materials required for use by the Department in Washington or in the field; (c) establish, subject to the approval of the Director of Finance, financial and purchasing procedures by which bureaus and offices may obtain published materials; and (d) supervise the use of published materials which may be acquired in the future or are now in any bureau or office of the Department.

All published materials, regardless of the funds from which purchased, shall be regarded as the property of the Department Library.

4115. Purchase of Tree Seed, Cones, and Nursery Stock for National Forests. Regional Foresters may procure tree seeds, cones, and nursery stock, for seeding and tree planting within national forests, and for experiments and investigations necessary for such seeding and tree planting, by open purchase, without advertisements for proposals, whenever in their discretion such method is most economical and in the public interest and when the cost thereof will not exceed $500. (945)

4116. Procurement of Arms and Ammunition. Whenever arms, suitable accouterments for use therewith, and ammunition are required:

1. For the Protection of Public Money and Property

a. Funds available for field work in the Department may be used for their purchase, under authority of the Act of June 4, 1936, U. S. Code, Title 5, section 542b, without regard to Section 3709 of the Revised Statutes, or the Act of March 3, 1879, U. S. Code, Title 50, section 61, as amended by the Act of April 14, 1937, (Public No. 30, 75th Congress), whenever an individual purchase does not exceed $50. (2048)

b. The Secretary of War shall be requested to furnish them, pursuant to the Act of March 3, 1879, as amended, whenever the amount required is in excess of $50. The request should be in the form of a letter, prepared by the bureau concerned, addressed to the Secretary of War, for the signature of the Secretary of Agriculture, giving an itemization of the articles required, and an explanation of the use to be made of them, the name and official title of the person to whom delivery should be made, and his location.

DEPARTMENT OF AGRICULTURE

WASHINGTON

AMENDMENT TO THE REGULATIONS

Amendment No. 130 August 16, 1941

There appears on the reverse side of this sheet a revision of Regulation 4114. "Purchase of Books, Periodicals, and Newspapers," which supersedes amendment No. 84, dated January 14, 1939, and is promulgated effective immediately. The title of the Regulation has been changed to "Purchase of Published Materials."

The revised Regulation points out the legal restrictions on the purchase of books and other published materials and outlines the responsibilities of the Department Librarian with respect to the selection, purchase, and use of such materials. It also provides that all published materials shall be regarded as the property of the Department Library.

The following change in the Table of Contents and additions to the Index should be made:

Table of Contents

Changes:
4114 from "Purchase of Books, Periodicals, and Newspapers"

to "Purchase of Published Materials"

Index

Additions:

Finance, Director of, duties	4114
Librarian, duties	4114
Library, responsibility for published materials	4114
Materials, published, purchase	4114
Published Materials (see Materials, published)	4114
Purchases, published materials, 4114	4114

Grover B. Hill

Assistant Secretary

Whenever arms, accouterments, and ammunition so requested are furnished by the War Department, under authority of the Act of March 3, 1879, as amended, charges for the cost (1) of replacing borrowed arms and accouterments which are lost, destroyed, or irreparable, (2) of repairing arms and accouterments returned to the War Department, and (3) of making and receiving shipments, shall be covered by a transfer of funds from the requisitioning bureau to the credit of the War Department funds.

Whenever arms, accouterments, and ammunition so requested cannot be furnished by the War Department, the purchase may be made in accordance with the rules governing purchases in general.

2. For Purposes Other Than the Protection of Public Money and Property

a. Funds available for field work in the Department may be used for the purchase of such articles, but, regardless of the quantity, if circumstances permit, they should be procured from the War Department, under authority of the Act of August 24, 1912, U. S. Code, Title 50, section 75.

b. Whenever circumstances will not permit of procurement from the War Department purchases may be made under authority of the Act of June 4, 1936. Individual purchases, which do not exceed $50, may be made in the open market, without regard to Section 3709 of the Revised Statutes, and when in excess of $50, in accordance with the rules governing purchases in general. (2049)

4117. Mechanical Shops. Mechanical work desired by the various bureaus of the Department of Agriculture in Washington, such as carpenter, cabinet, pattern, machine shop, plumbing, pipe fitting, sheet metal, electrical, composition, fabric, and leather work, model making, painting, manufacture of rubber stamps, typewriter repairs, manufacture and repair of awnings, and mechanical supplies and equipment may be obtained from the Mechanical Shops under the supervision of the Public Buildings Administration, Federal Works Agency. Bureaus should procure such services, supplies, and equipment from the Mechanical Shops when such procurement will effect savings in expenditures. Requests should be prepared on the forms prescribed for that purpose. Where required, reimbursement will be made in the usual way by the bureaus for which such services or materials are furnished. (162)

The construction of office furniture or other equipment by the Mechanical Shops will not be permitted when standard articles available from commercial sources at less cost will serve the requirements.

Complaints and suggestions relating to the service of the Mechanical Shops should be made to the Chief, Office of Plant and Operations.

DEPARTMENT OF AGRICULTURE

WASHINGTON

AMENDMENT TO THE REGULATIONS

Amendment No. 30 May 25, 1937

In accordance with Public No. 30, 75th Congress, approved April 14, 1937, amending the Act of March 3, 1879, U. S. Code, Title 50, section 61, authorizing the Secretary of War to charge for the cost of replacing borrowed arms and accouterments, of repairing arms and accouterments, and of making and receiving shipments, when such arms and accouterments have been furnished for the protection of public money and property, the Regulations of the Department are amended herewith. This amendment is promulgated effective immediately and all copies of the Regulations should be revised accordingly.

Inasmuch as this subject has been included in the Index no additions to that section are required. However, the title of paragraph 4116 has been changed and should be corrected in the Table of Contents.

H A Wallace

Secretary

AMENDMENT TO THE REGULATIONS

Amendment No. 27 May 8, 1937

There appears on the reverse side of this sheet an amendment to paragraph 1838 of the Regulations of the Department, the purpose of which is to eliminate all references to repairs and servicing of motor vehicles owned by the Department, and the furnishing of transportation required by the bureaus, divisions, and offices of the Department, from the paragraph headed "Mechanical Shop Work", because those services are rendered by the Motor Transport Service of the Department.

This amendment is promulgated effective immediately. The following addition to the Table of Contents and changes in the Index should be made:

Table of Contents

Addition:
4117. Mechanical Shops

Index

Changes (from 1838 to 4117):

Awnings, repair of	Model making
Cabinet work	Painting in Mechanical Shop
Carpenter work	Pattern making
Electrical work	Pipe fitting
Leather work	Plumbing
Machine Shop work	Repairs
Mechanical Shops	Rubber stamps
Mechanical work	Typewriter repairs

H A Wallace

Secretary

EXCHANGE OF PROPERTY

4121. *Exchanges or Sales in Purchasing Equipment. Items of equipment may be exchanged or sold in purchasing similar items and the exchange allowances or proceeds of sales applied to the purchase or deposited as miscellaneous receipts in accordance with the following regulations:*

1. *General. Items of equipment may be exchanged for, or sold in the purchase of, similar items only. This restriction is based on the fact that trade-in allowances solicited from vendors not dealing in the type of equipment offered in exchange are unlikely to reflect the true value of the "exchange" items. In the solicitation of bids for the purchase of equipment, cash offers as well as exchange offers shall be requested for the equipment being replaced, and only the offer or combination of offers resulting in the lowest net cost of the equipment being purchased shall be accepted.*

2. *Exchanges or Sales Specifically Authorized by Law. Exchanges or sales of the equipment listed under subparagraphs "a" and "b" below, in purchasing similar equipment, are specifically authorized by the laws cited. The rules governing the disposition of surplus property do not apply to exchanges or sales of these items in purchasing similar items; that is, authorization by the Procurement Division, Treasury Department, for such exchanges or sales of these items is not required.*

a. *Exchange Allowances and Proceeds of Sales to be Applied to Purchase. Exchange allowances for, and proceeds of sales of, the equipment listed hereunder shall be applied to the purchase. That is, when such equipment is exchanged, the appropriation shall be charged only the excess of the price of the equipment purchased over the trade-in allowance for the equipment exchanged; and when such equipment is sold in purchasing similar equipment, the proceeds of the sale shall be deposited in the Treasury to the credit of the appropriation chargeable with the price of the equipment purchased. In making such deposits, the purchase transactions shall be identified on the Schedules of Collections (Standard Form 1044).

Vehicles, motor-propelled or animal-drawn
Tractors
Road equipment
Agricultural equipment
Manufacturing equipment
Laboratory equipment
Boats
Parts, accessories, tires, or equipment of the above-listed equipment

This subparagraph (a) is based on Section 203 of the Independent Offices Appropriation Act, 1944, Public Law 90, 78th Congress, which Section is applicable only for the fiscal year 1944. This subparagraph shall, therefore, automatically expire June 30, 1944, unless the above-mentioned Section is succeeded by similar legislation.*

b. *Exchange Allowances to be Applied to Purchase and Proceeds of Sales to be Deposited as Miscellaneous Receipts. Exchange allowances for the equipment listed hereunder shall be applied to the purchase; that is, the appropriation shall be charged only the excess of the price of the equipment purchased over the trade-in allowance for the equipment exchanged. Proceeds of sales of such equipment shall be deposited in

4121 (cont.) the Treasury as miscellaneous receipts and the appropriation shall bear the full cost of the equipment purchased. (1674)

Typewriters (used three years or longer) and other similar labor-saving devices used for the same purpose as those by which replaced (1894, 1895)
Adding machines and other similar labor-saving devices used for the same purpose as those by which replaced (1894)
Computing machines) purchased from any lump-
Addressing machines) fund appropriation of the
Duplicating machines) Department (164)
General scientific apparatus purchased from any appropriation of the Department (165)
Books) (166, 1975) (See also Regulations
Periodicals) 1912 and 1917)
Animals and animal products (167) (See also Regulation 4429)
Used parts only of:

Mechanical refrigerators) Used for the same
Hermetically sealed refrigerating units) purpose as those
Temperature control devices) by which replaced
Watchmen's clocks) (115-7)*

3. *Exchanges or Sales Requiring Authorization by Procurement Division. Exchanges or sales of equipment which are not specifically authorized by law or regulation may be made only upon authorization by the Procurement Division, Treasury Department. Such authorization is to be requested through the established channels for the utilization or disposition of surplus property.*

Exchange allowances for, and proceeds of sales of, equipment which the Department is not specifically authorized by law to exchange or sell in purchasing similar equipment shall be deposited in the Treasury as miscellaneous receipts. (1674)

4122. Typewriters, Adding Machines, etc. (Canceled. See Regulation 4121.)

4123. Vehicles, Tractors, Road Equipment and Boats and Parts, etc., Thereof. (Canceled. See Regulation 4121.)

4124. Scientific Apparatus and Laboratory Equipment. (Canceled. See Regulation 4121.)

4125. Surplus Documents and Books. (Canceled November 10, 1942. See Regulation 1917.)

4126. Books and Periodicals. (Canceled November 10, 1942. See Regulation 1917.)

4127. Used Parts of Mechanical Refrigerators, Hermetically Sealed Refrigerating Units, Temperature Control Devices, and Watchmen's Clocks. (Canceled. See Regulation 4121.)

EXCHANGE OF PROPERTY

4121. Exchange of Property in Payment for Supplies Restricted.- The Department is authorized under various laws to exchange specified articles of equipment, as set forth in ensuing paragraphs, in part payment for new articles. When so exchanged the appropriate appropriation will be charged only with the difference between the purchase price of the new article and the exchange allowance for the old one. In the solicitation of bids, cash offers as well as trade-in offers will be solicited and if the cash offer for any article exceeds the exchange offer, the cash offer is for acceptance, in which event the appropriate appropriation must bear the full cost of the new equipment and the proceeds of the cash sale must be deposited in the United States Treasury as a receipt from sale of surplus property. (See Regulation 4421.)

When typewriters or computing machines are obtained from the Procurement Division, Treasury Department, for turn-in purposes, the appropriate appropriation of the Department will be charged with the full purchase price of the new equipment. In such cases, the amount of the exchange value will be deposited in the United States Treasury in accordance with instructions from the Procurement Division and the balance paid to the vendor.

Articles for which specific authority for exchange does not exist should not be offered for sale or exchange in part payment for any articles unless and until the sale or exchange of such articles has been approved by the chief of the division of purchase, sales, and traffic, and in the event authority to sell or exchange is given, the amount derived from such sale or exchange shall be deposited as miscellaneous receipts and the appropriate appropriation charged with the full amount of the purchase price of the new articles.

No article, the purchase price of which was in excess of $500, regardless of whether its exchange is or is not authorized by law, shall be sold or exchanged in part payment for any article, without the prior approval and authorization of the chief of the division of purchase, sales, and traffic, for its sale or exchange, in each instance. Independent approval will not be required for exchanges covered by contracts which have been accepted by the chief of the division of purchase, sales, and traffic.

4122. Typewriters, Adding Machines, etc.- Typewriters, adding machines, and other similar labor-saving devices may be exchanged in part payment for new machines used for the same purpose as those proposed to be exchanged. (164) (1894)

No typewriting machines that have been used less than three years may be disposed of by sale, exchange, or as part payment for another typewriter. (1895)

4123. Vehicles, Tractors, Road Equipment and Boats and Parts, etc., Thereof.- Motor-propelled and horse-drawn vehicles, tractors, road equipment, and boats, and parts, accessories, tires, or equipment thereof, may be exchanged in whole or in part payment for vehicles, tractors, road equipment, or boats, or parts, accessories, tires, or equipment of such vehicles, tractors, road equipment, or boats purchased by the Department.

4124. Scientific Apparatus and Laboratory Equipment.- General scientific apparatus and laboratory equipment purchased

DEPARTMENT OF AGRICULTURE
WASHINGTON

December 22, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 52.

This amendment, revising regulation 4121, stated in effect that as the regulation which it amended pertained solely to the exchange of property, it appeared desirable to issue a more comprehensive regulation concerning both the sale and exchange of property and to provide in some instances for the approval of the chief of the division of purchase, sales, and traffic prior to the sale or exchange of an article. The amendment also authorized the removal of regulation 4127, entitled "Cash Offers to be Obtained".

December 29, 1938

Amendment No. 82.

There appear on the reverse side of this sheet, revisions of regulations 4122, 4123, 4124, 4125 and 4126, entitled "Typewriters and Duplicating Machines"; "Exchange of Passenger-carrying Vehicles"; "Exchange of Scientific Apparatus"; "Surplus Documents, Books and Periodicals"; and "Exchange of Books and Periodicals of Library"; respectively.

As the current titles and contents of these regulations do not coincide with the specific legislative authority on which each one is based, it appears desirable to revise the titles and contents of such regulations. Certain matters of a procedural nature have been eliminated from regulations 4122 and 4126, for the reason that regulation 4121 contains all the instructions of a procedural nature that should appear under the general heading "Exchange of Property".

The provisions of the regulations, as amended, are promulgated effective immediately.

As the titles and contents of these regulations are being changed, the following revisions should be made in the Table of Contents and in the Index:

Table of Contents:

Change "4122. Typewriters and Duplicating Machines"
to "4122. Typewriters, Adding Machines, etc."
Change "4123. Exchange of Passenger-carrying Vehicles"
to "4123. Vehicles, Tractors, Road Equipment and Boats and Parts, etc., Thereof"
Change "4124. Exchange of Scientific Apparatus"
to "4124. Scientific Apparatus and Laboratory Equipment"
Change "4125. Surplus Documents, Books and Periodicals"
to "4125. Surplus Documents and Books"
Change "4126. Exchange of Books and Periodicals of Library"
to "4126. Books and Periodicals"

from any appropriation of the Department may be exchanged. (165)

4125. Surplus Documents and Books.- Surplus documents may be exchanged for such other documents and books as may be required by the Department, when the same can be done to the advantage of the public service. (1975) The approval of the librarian of the Department must be secured before a bureau may exchange surplus documents for such other documents and books as may be required by the Department. (See regulation 1375)

4126. Books and Periodicals.- Books and periodicals of the Library of the Department not needed for permanent use may be exchanged for other books and periodicals. (166) The librarian of the Department shall approve each exchange. (See regulation 1375)

4127. Used Parts of Mechanical Refrigerators, Hermetically Sealed Refrigerating Units, Temperature Control Devices, and Watchmen's Clocks.- Used parts of mechanical refrigerators, hermetically sealed refrigerating units, temperature control devices, and watchmen's clocks, may be exchanged as payment, in full or in part, for new or reconditioned parts to be used for the same purpose as those to be exchanged. (Public No. 32, 75th Congress, approved April 15, 1937.)

Index:

Delete "4125" in "Exchange of property
Periodicals - - - - - - - - - 4125"
and substitute "4126"
Add ",4126" to "Exchange of property
Books - - - - - - - - - - - - 4125"
",4126" to "Periodicals, exchange of
surplus - - - - - - - - - - - - - - - - - - 4125"
"Library
exchange of books and periodicals - - 4126"

H A Wallace

Secretary.

May 24, 1937

AMENDMENT TO THE REGULATIONS

Amendment No. 29.

There appears on the reverse side of this sheet a paragraph, No. 4127, entitled "Used Parts of Mechanical Refrigerators, Hermetically Sealed Refrigerating Units, Temperature Control Devices, and Watchmen's Clocks", which should be added to the Regulations of the Department. This paragraph is promulgated effective immediately.

The following additions to the Table of Contents and to the Index should be made:

To the Table of Contents:

"4127. Used Parts of Mechanical Refrigerators, Hermetically Sealed Refrigerating Units, Temperature Control Devices, and Watchmen's Clocks"

To the Index:

"Exchange of property
Used parts - - - - - - - - - - - - - - - - - - 4127
Refrigerator parts, exchange of - - - - - - - - - 4127
Temperature control devices, exchange of
parts of - - - - - - - - - - - - - - - - - - - 4127
Watchmen's clocks, exchange of parts of- - - - - 4127"

H A Wallace

Secretary.

PERSONNEL HANDLING PROPERTY

4211. Responsibility for Property.- Every employee of the Department will be held responsible for the proper use and protection of any Government property which may come into his custody or control in any manner whatsoever.

The official in charge of the property of a station shall be responsible for all accountable property at field substations under his supervision. He shall obtain and keep on file in his office memorandum receipts for all accountable property issued to field substations either by himself or any other authorized official of the bureau, and when necessary, shall obtain annual returns of such property. (1652, 1653)

4212. Individual Accountability.- In each bureau an employee or employees (or a class of employees, such as heads of field stations) shall be designated by the chief of bureau to receive, receipt for, and take charge of all newly acquired property. Every employee so designated will be held strictly responsible therefor until relieved of such responsibility in accordance with these regulations.

Relief from responsibility for non-expendable or semi-expendable property may be given for the following causes:

(1) Authorized transfer;

(2) Consumption, loss, theft, damage or deterioration through use beyond profitable repair, destruction;

(3) Payment to a disbursing officer of the Department of the value determined by the chief of bureau or an employee designated by the chief, in case of loss, damage, or destruction of property through employee's negligence;

(4) Sale or other disposition by a board of survey (see sections on sale of property in Washington and in the field);

(5) Abandonment. (1654, 1655)

4213. Action on Death of Official in Charge.- Upon the death, resignation or the disappearance of an employee responsible for property the first assistant or other person designated by the chief of bureau to take charge shall prepare in duplicate an inventory of all semi-expendable and non-expendable property. One copy of the inventory shall be forwarded to the bureau for examination and appropriate action. The duplicate copy shall be retained at the station as a basis for future property returns.

4214. Purchase from Government Employees Prohibited.- No supplies or property for the use of the Department shall be purchased from any of its employees without the approval of the chief of the division of purchase, sales, and traffic. The request for such approval must in each case be accompanied by a statement in writing from the officer certifying the voucher showing the necessity for the purchase and indicating specifically that the purchase from the employee will be more advantageous to the Government than a purchase from any other source.

4215. Employees Who May Not Purchase Condemned Property.- Public property which has been condemned and is offered for sale by authority of the Department shall not be purchased, either directly or indirectly, by (a) any employee formerly accountable for the property, (b) any employee formerly using the property, (c) any employee connected in any way with the action which resulted in condemnation, or (d) any employee connected in any way with the condemnation or sale of the property, except as authorized in the regulation relative to the sale of surplus perishable products. (See also Paragraph 4422.)

4216. Personal Possession of Condemned Property.- No employees shall appropriate for his own use any article of Department property which has been ordered destroyed.

4217. Property Appropriated for Personal Use.- If any article of Department property is appropriated for his own use by an employee of the Department, the chief of bureau will immediately take steps to recover the property or its value from the employee. Any moneys which may be so recovered shall be promptly transmitted through the proper bureau officials to the chief disbursing officer of the Treasury Department for deposit in the Treasury to the credit of Miscellaneous Receipts in accordance with existing regulations. Pending such recovery, the chief of bureau should withhold any moneys due or which may become due to the employee involved, and should also report the circumstances of the case to the Secretary for proper disciplinary or other action. (1231)

4221. Classification

*1. All Department property shall be classified as either expendable or non-expendable in accordance with the following:

a. Expendable Property

(1) Articles and supplies destroyed or consumed with use or requiring frequent replacement, such as stationery, fuel, food, fertilizer, hand tools, brushes, glassware, flashlights, or belting.

(2) Articles normally considered non-expendable acquired for the express purpose of immediate incorporation in an article or equipment carried as non-expendable.

(3) Articles normally considered non-expendable acquired for testing or other purposes which would result in their destruction.

(4) Fixtures placed in buildings owned by the Federal Government.

(5) Animals acquired for food or slaughter, or for experimental purposes when the animals are the object of the experiment.

b. Non-Expendable Property

(1) Property of a permanent character, such as buildings and other structures, boats, motor vehicles, instruments of precision, or furniture.

(2) Articles of a personal nature, such as raincoats, boots, or pocket type fountain pens.

(3) Gold, platinum, and any other precious metals, and any articles made thereof.

(4) Badges, seals, and other devices indicating official approval or authority.

(5) Removable fixtures in a rented building, placed therein by the Government.

(6) Animals not acquired for food or slaughter, nor for experimental purposes when the animals are the object of the experiment.*

2. Materials and parts, whether carried as expendable or non-expendable, may be considered as expended when incorporated in a structure or article, but the completed structure or article must be taken up in the records as non-expendable under a description adequate to show its salient features.

3. Materials and parts used in the repair or improvement of existing equipment or structures will be considered as expended when applied to the work.

4. For classification of books and other published matter, see Regulation 1911.

5. Articles manufactured by the Department shall be classified in the same manner as similar articles obtained from commercial and other sources.

6. To coordinate the classification of property, the Director of Finance will issue a list of non-expendable property. In conformity therewith, the bureau chiefs will then issue lists of expendable and non-expendable property under their jurisdiction, except that property of an expendable nature may be designated as non-expendable when, in their judgment, the circumstances warrant.

4222. Identification of Property. When practicable, non-expendable property shall be marked for purposes of identification so as to indicate ownership by the Department. All apparatus and equipment bearing factory or other trade numbers shall be recorded by such numbers as well as by description.

Property Supervision

4223. Responsibility for Accounting for Instruments Used as Money.

1. The chief of each bureau shall be responsible for seeing that there are maintained such records, procedures, internal controls and audit programs as are necessary for properly safeguarding and accounting for postage stamps, car tokens, toll bridge tickets, scrip books, and other similar instruments or things belonging to the United States (see Regulation 1812), which may be used as money or in lieu of money, except that this regulation shall not apply to transportation requests, bills of lading, or tax exemption certificates.

2. The audit programs maintained shall provide for audits to be made at least annually (but much more frequently in most cases) by employees not immediately responsible for handling the instruments involved, and shall also provide a determination that such instruments have been properly accounted for and disposed of in accordance with existing law and the regulations of the Department. (See also Regulation 3172.)

4224. Exhibits.

1. Exhibit material may, in the discretion of the Director of Information, and upon compliance with such conditions as he may impose, be loaned for exhibition where it is believed such exhibition may be of benefit to the Department.

2. All property, either expendable or non-expendable, displayed at expositions, fairs, and similar exhibitions, shall be accounted for in accordance with these regulations, except that objects, mechanisms, or other materials that form parts of or are used in connection with exhibits prepared and displayed under direction of the Office of Information need not be carried on Department property records and need not be accounted for as property when worn out, or upon becoming obsolete or otherwise unserviceable. (See also Regulation 1511.)

4225. Misuse of Property.

* Except in emergencies threatening loss of life or property, no employee shall use or permit any other person to use Department property or equipment for any purpose other than performance of the work of the Department. * (See also Regulation 1831.)

4226. Storage.

Property issued to employees in charge of field parties for which there is no immediate need may be placed in storage when authority therefor is obtained in advance from the chief of the bureau. Storage fees may be paid in cash by the employee charged with the property and the receipt of the storage company submitted with his reimbursement account, or payment may be made to the storage company on the proper voucher. (See also Regulation 1831.)

4227. Use of Condemned Property.

Parts of machines and other articles which have become unserviceable, or for which the Department has no further use in their entireties, may in the discretion of boards of survey be retained for use in repair or construction work or for other departmental purposes. In such cases, the articles will be dropped from the property returns, and the parts shall be taken up as expendable property on the records of the bureau to which they are allotted by the board of survey.

REGULATIONS OF THE U. S. DEPARTMENT OF AGRICULTURE

PROPERTY RECORDS AND REPORTS

4311. * Property Records. A record of accountable property will be maintained by each bureau having custody of property. Where bureaus have decentralized their property accountability records, an employee or amployees shall be designated at each field station to be responsible for the maintenance of the records under such procedure as the chief of bureau may prescribe. Property records will be supported by receipts of the employees to whom accountable property has been issued. (See also Regulations 4211 and 4212.) *

1.* Non-expendable Property Accountability Records. The records shall be maintained to reflect the following data:

a. Description of article.
b. Unit or group cost (where group cost is maintained, property disposed of shall be written off using average cost per unit).
c. Location of property or name of the person to whom assigned.

The records of such data shall be arranged to show:

a. Inventory at beginning of period.
b. Receipts of property during period.
c. Disposition of property during period.
d. Inventory at end of period. *

2.* Expendable Property Records. These records shall consist of acquisition and disposition memoranda or other records showing the number or quantity, description, and cost of articles, receipting officer and use for which intended. These memoranda may be filed without transcript of their contents to any property record. *

3.* Inventories. Annual physical inventories of non-expendable property and the stores account portion of expendable property will be made by each bureau, including field stations. These inventories shall be taken at least once during a twelve-month period. (See also Regulation 4213.) *

4.* Audit and Inventory Reports. The type and frequency of bureau or field station audit necessary to check inventories, and to determine if accountability, proper use, and adequate protection of Government property have been made, will be determined in accordance with procedures prescribed by the chief of bureau. The audit program should provide for property audits to be made at such intervals to insure that reasonable care, protection, and accountability are maintained. Audit reports and annual inventory reports will be submitted to the chief of bureau or officer(s) designated by him for review. *

4312. Field Records. * (Cancelled. See Regulation 4311.) *

4313. Invoices and Receipts. All transfers of property, expendable or non-expendable, except from one station or office to another, shall be evidenced by invoices and receipts. Property which has been invoiced shall not be receipted for until the full amount is actually received and the invoice certified or corrected. Each invoice shall be carefully compared with the property received, and if found correct the receipt will be completed, compared with the invoice, and promptly returned.

Property Records and Reports

4314. Filing of Invoices and Receipts. Invoices shall be filed currently by the consignee and receipts by consignors, with their retained property returns as authority for taking up or dropping property from the records.

4315. Schedule of Property Transferred. When property is transferred from one station or office to another, transfer papers shall be made out by the transferring station or officer and mailed to the receiving station or office. In all cases three copies shall be prepared but additional copies may be required by the chief of bureau. If upon delivery the property is found to agree with the schedule, the receiving office shall execute the receipt, return one copy to the sender, forward one copy to the chief of the bureau, and retain one copy in its files. The remaining copies, if any, shall be disposed of in accordance with instructions of the chief of bureau.

4316.* Camera and Microscope Parts. Detachable camera lenses and shutters and microscope oculars and objectives shall be described on the property records by serial number, power of magnification, speed, aperture, or other pertinent identification. Separate records may be maintained for such items, or they may be described on the same record as the rest of the camera or microscope, as may be the policy of the bureau.*

4317.* Precious Metals. All gold, platinum, or other precious metals, and articles made thereof, shall be specially safeguarded and shall be accounted for by weight, size, or identification mark. Every transfer of such metals from one employee to another shall be evidenced by a receipt. Any loss, damage, consumption in use, or other disposition of such metals shall be recorded.*

4315 (cont.) the sender, forward one copy to the chief of the bureau, and retain one copy in its files. The remaining copies, if any, shall be disposed of in accordance with instructions of the chief of bureau.

4316. *Camera and Microscope Parts. Detachable camera lenses and shutters and microscope oculars and objectives shall be described on the property records by serial number, power of magnification, speed, aperture, or other pertinent identification. Separate records may be maintained for such items, or they may be described on the same record as the rest of the camera or microscope, as may be the policy of the bureau.*

4317. Precious Metals. All gold, platinum, or other precious metals, and articles made thereof, shall be specially safeguarded and shall be accounted for by weight, size, or identification mark. Every transfer of such metals from one employee to another shall be evidenced by a receipt. Any loss, damage, consumption in use, or other disposition of such metals shall be recorded.

PROPERTY SUPERVISION

4221. Classification.- The Department property will be grouped, according to the manner of its final disposition, into three general classes:

(1) Expendable property, comprising (a) supplies that are destroyed or consumed by use, such as stationery and fuel; (b) supplies that are soon worn out by use, such as mops and brushes; and (c) all material or parts used in construction or repair work, such as bricks, nails, lumber and machine parts.

(2) Semi-expendable property, comprising (a) property which is subject to such hard wear or deterioration as to render its period of use relatively limited, such as hand tools; and (b) articles which are readily subject to breakage and which have little or no salvage value when broken, as traps, wrenches, laboratory glassware apparatus, etc.

(3) Non-expendable property, comprising property of a permanent character, such as boats, furniture, instruments, motor vehicles, and tractors.

Removable fixtures placed by the Department in a private building which has been rented will be accounted for as "non-expendable," and shall be removed when the building is vacated unless the cost of such removal compared to the possible salvage value of such fixtures would be excessive. Fixtures placed in a building owned by the Department may be considered as a part of the building and need not be accounted for separately.

Materials and parts for construction purposes may be considered as expended when applied to the work, but the constructed article in its entirety, such as a telegraph line, building,

fence, shed, or wall case, must be accounted for when completed. Materials must be accounted for when completed. Materials and parts for repair purposes or to replace other parts will become a part of the article repaired or to which it has been attached, such as a boiler, vehicle, telegraph line, fence or electric fan, and may be considered as expended when applied to the work. When it is impracticable to obtain by purchase parts needed for the repair or improvement of other articles or the creation of new articles, or when parts can be taken from articles on hand and no longer needed for the purpose for which originally designed, such articles on hand may be regarded as parts and expendable under this paragraph. Entire articles may be purchased and considered as parts and expendable when immediately necessary to destroy an article ordinarily carried as non-expendable, it may be considered expendable for the purpose of the investigation in which it is used.

Lists of expendable, semi-expendable, and non-expendable property will be issued by chiefs of bureaus after such lists have been approved by the chief of the division of purchase, sales, and traffi

All articles of gold, platinum, and other precious metals shall be carried as non-expendable. Owing to their value all gold, platinum and other precious metals shall be specially safeguarded, and shall be accounted for by weight, size, or identification mark, and every transfer from one employee to another shall be evidenced by a receipt and any loss, damage or consumption in use, or other disposition of same, shall be recorded.

Under the item "Outfits" each article comprising the outfit must be accounted for.

4222. Identification of Property.- When practicable, non-expendable property shall be marked for purposes of identification so as to indicate ownership by the Department. All apparatus and equipment bearing factory or other trade numbers shall be recorded by such numbers as well as by description.

Property Supervision

4223. Responsibility for Accounting for Instruments Used as Money.

1. The chief of each bureau shall be responsible for seeing that there are maintained such records, procedures, internal controls and audit programs as are necessary for properly safeguarding and accounting for postage stamps, car tokens, toll bridge tickets, scrip books, and other similar instruments or things belonging to the United States (see Regulation 1812), which may be used as money or in lieu of money, except that this regulation shall not apply to transportation requests, bills of lading, or tax exemption certificates.

2. The audit programs maintained shall provide for audits to be made at least annually (but much more frequently in most cases) by employees not immediately responsible for handling the instruments involved, and shall also provide a determination that such instruments have been properly accounted for and disposed of in accordance with existing law and the regulations of the Department. (See also Regulation 3172.)

4224. Exhibits.

1. Exhibit material may, in the discretion of the Director of Information, and upon compliance with such conditions as he may impose, be loaned for exhibition where it is believed such exhibition may be of benefit to the Department.

2. All property, either expendable or non-expendable, displayed at expositions, fairs, and similar exhibitions, shall be accounted for in accordance with these regulations, except that objects, mechanisms, or other materials that form parts of or are used in connection with exhibits prepared and displayed under direction of the Office of Information need not be carried on Department property records and need not be accounted for as property when worn out, or upon becoming obsolete or otherwise unserviceable. (See also Regulation 1511.)

4225. Misuse of Property.

* Except in emergencies threatening loss of life or property, no employee shall use or permit any other person to use Department property or equipment for any purpose other than performance of the work of the Department. * (See also Regulation 1831.)

4226. Storage.

Property issued to employees in charge of field parties for which there is no immediate need may be placed in storage when authority therefor is obtained in advance from the chief of the bureau. Storage fees may be paid in cash by the employee charged with the property and the receipt of the storage company submitted with his reimbursement account, or payment may be made to the storage company on the proper voucher. (See also Regulation 1831.)

4227. Use of Condemned Property.

Parts of machines and other articles which have become unserviceable, or for which the Department has no further use in their entireties, may in the discretion of boards of survey be retained for use in repair or construction work or for other departmental purposes. In such cases, the articles will be dropped from the property returns, and the parts shall be taken up as expendable property on the records of the bureau to which they are allotted by the board of survey.

4223. Inspection of Records and Property of the Supply Divisions of the Department.- Each bureau chief will have all records connected with sales of property or products and of stamps audited annually by an employee not connected with the office responsible for such records. The chief of the division of purchase, sales and traffic will be regularly advised of the results of the audits.

4224. Exhibits.- Exhibit material may, in the discretion of the director of extension work, and upon compliance with such conditions as he may impose, be loaned for exhibition where it is believed such exhibition may be of benefit to the Department.

All property, either expendable or non-expendable, displayed at expositions, fairs, and similar exhibitions, shall be accounted for in accordance with these regulations, except that objects, mechanisms, or other materials that form parts of or are used in connection with exhibits prepared and displayed under direction of the division of exhibits need not be carried on Department property records and need not be accounted for as property when worn out, or upon becoming obsolete or otherwise unserviceable. (See also Paragraph 1511)

4225. Misuse of Property.- No employee shall use or permit any other person to use any Department property for any purpose except such as is necessary for the performance of the work of the Department. (See also Paragraph 1831.)

4226. Storage.- Property issued to employees in charge of field parties for which there is no immediate need may be placed in storage when authority therefor is obtained in advance from the chief of the bureau. Storage fees may

be paid in cash by the employee charged with the property and the receipt of the storage company submitted with his reimbursement account, or payment may be made to the storage company on the proper voucher. (See also Paragraph 1832.)

4227. Use of Condemned Property.- Parts of machines and other articles which have become unserviceable, or for which the Department has no further use in their entireties, may in the discretion of boards of survey, be retained for use in repair or construction work, or for other departmental purposes. In such cases the articles will be dropped from the property returns, and the parts shall be taken up as expendable property on the records of the bureau to which they are allotted by the board of survey.

4228. Books and Periodicals Borrowed from Library.- Each employee borrowing books, periodicals, and pamphlets from the library shall be held strictly responsible for their use, preservation, and safe return to the library.

The Department librarian and any bureau librarian shall report to the chief of bureau the name of any employee of his bureau who fails to return or to account in a satisfactory manner for books withdrawn; and upon receipt of such notice the chief of bureau shall immediately take steps to recover the books or periodicals or the value thereof. In the event of the failure of an employee to return the books or periodicals or to pay the value thereof promptly upon demand, the chief of bureau shall report the matter to the Secretary.

Employees in Washington. D. C., having in their possession any books or periodicals belonging to or borrowed through the Department library or any of its branches, who may leave the city for periods of one week or more, shall return the books or periodicals, or, if they are

needed for general office use, shall place them in the care of some one who will be able to return them when called for by the library. In the latter case the library shall be notified in advance of the arrangement and informed of the name of the person who will have the care of the books or periodicals.

Books or periodicals belonging to or borrowed through the Department library or any of its branches shall not under any circumstances be kept in locked desks, left at home, or kept in any place where they will not be readily accessible for Department use. No books or periodicals belonging to or borrowed through the Department library or any of its branches shall be taken out of the city without first obtaining the permission of the Department librarian.

PROPERTY RECORDS AND REPORTS

4311. * Property Records. A record of accountable property will be maintained by each bureau having custody of property. Where bureaus have decentralized their property accountability records, an employee or employees shall be designated at each field station to be responsible for the maintenance of the records under such procedure as the chief of bureau may prescribe. Property records will be supported by receipts of the employees to whom accountable property has been issued. (See also Regulations 4211 and 4212.) *

1.* Non-expendable Property Accountability Records. The records shall be maintained to reflect the following data:

a. Description of article.
b. Unit or group cost (where group cost is maintained, property disposed of shall be written off using average cost per unit).
c. Location of property or name of the person to whom assigned.

The records of such data shall be arranged to show:

a. Inventory at beginning of period.
b. Receipts of property during period.
c. Disposition of property during period.
d. Inventory at end of period. *

2.* Expendable Property Records. These records shall consist of acquisition and disposition memoranda or other records showing the number or quantity, description, and cost of articles, receipting officer and use for which intended. These memoranda may be filed without transcript of their contents to any property record. *

3.* Inventories. Annual physical inventories of non-expendable property and the stores account portion of expendable property will be made by each bureau, including field stations. These inventories shall be taken at least once during a twelve-month period. (See also Regulation 4215.) *

4.* Audit and Inventory Reports. The type and frequency of bureau or field station audit necessary to check inventories, and to determine if accountability, proper use, and adequate protection of Government property have been made, will be determined in accordance with procedures prescribed by the chief of bureau. The audit program should provide for property audits to be made at such intervals to insure that reasonable care, protection, and accountability are maintained. Audit reports and annual inventory reports will be submitted to the chief of bureau or officer(s) designated by him for review. *

4312. Field Records. * (Cancelled. See Regulation 4311.) *

4313. Invoices and Receipts. All transfers of property, expendable or non-expendable, except from one station or office to another, shall be evidenced by invoices and receipts. Property which has been invoiced shall not be receipted for until the full amount is actually received and the invoice certified or corrected. Each invoice shall be carefully compared with the property received, and if found correct the receipt will be completed, compared with the invoice, and promptly returned.

Property Records and Reports

4314. Filing of Invoices and Receipts. Invoices shall be filed currently by the consignee and receipts by consignors, with their retained property returns as authority for taking up or dropping property from the records.

4315. Schedule of Property Transferred. When property is transferred from one station or office to another, transfer papers shall be made out by the transferring station or officer and mailed to the receiving station or office. In all cases three copies shall be prepared but additional copies may be required by the chief of bureau. If upon delivery the property is found to agree with the schedule, the receiving office shall execute the receipt, return one copy to the sender, forward one copy to the chief of the bureau, and retain one copy in its files. The remaining copies, if any, shall be disposed of in accordance with instructions of the chief of bureau.

4316.* Camera and Microscope Parts. Detachable camera lenses and shutters and microscope oculars and objectives shall be described on the property records by serial number, power of magnification, speed, aperture, or other pertinent identification. Separate records may be maintained for such items, or they may be described on the same record as the rest of the camera or microscope, as may be the policy of the bureau.*

4317.* Precious Metals. All gold, platinum, or other precious metals, and articles made thereof, shall be specially safeguarded and shall be accounted for by weight, size, or identification mark. Every transfer of such metals from one employee to another shall be evidenced by a receipt. Any loss, damage, consumption in use, or other disposition of such metals shall be recorded.*

PROPERTY RECORDS

4311. Bureau Records.- A complete and accurate record of all bureau accountable property shall be kept in each bureau by an employee or employees designated by the chief of the bureau. The records of all classes of property will be supported by receipts of the employees to whom articles have been issued. All records of property must be kept available for audit. (105) (See also Paragraph 4212.)

(a) Non-expendable property records shall show with respect to each article in the bureau and each article received by requisition, transfer, fabrication, or by purchase under letter of authorization, the number, description, and cost, and either where it is located or the name of the person in whose possession it is.

(b) Semi-expendable property records shall consist of formal acquisition memoranda or other records showing the number, description, and cost and either where located or name of employee in whose possession it is. These memoranda may be filed without transcript of their contents to the property record.

(c) Expendable property records shall show the number, description, cost and date of receipt of articles received and on hand in the storeroom and the number, description, cost and date of issue of articles issued to an official or employee.

4312. Field Records.-

(a) Each field station will maintain records of non-expendable and semi-expendable property, showing by items:

(1) Number of units on hand at the beginning of the period covered by the return;

(2) Number of units received during the period;

(3) Number of units disposed of during the period;

(4) Number of units remaining on hand.

(b) An annual physical inventory of non-expendable property, consisting of the items on hand at the close of each calendar year, showing acquisitions or dispositions during the year will be made and a copy of it forwarded to the chief of bureau.

4313. Invoices and Receipts.- All transfers of property, expendable or non-expendable, except from one station or office to another, shall be evidenced by invoices and receipts. Property which has been invoiced shall not be receipted for until the full amount is actually received and the invoice certified or corrected. Each invoice shall be carefully compared with the property received, and if found correct the receipt will be completed, compared with the invoice, and promptly returned.

4314. Filing of Invoices and Receipts.- Invoices shall be filed currently by the consignee and receipts by consignors, with their retained property returns as authority for taking up or dropping property from the records.

4315. Schedule of Property Transferred.- When property is transferred from one station or office to another, transfer papers shall be made out by the transferring station or officer and mailed to the receiving station or office. In all cases three copies shall be prepared but additional copies may be required by the chief of bureau. If upon delivery the property is found to agree with the schedule, the receiving office shall execute the receipt, return one copy to

the sender, forward one copy to the chief of bureau, and retain one copy in its files. The remaining copies, if any, shall be disposed of in accordance with instructions of the chief of bureau.

4316. Camera Boxes, Photographic Lenses, and Shutters.- Camera boxes and photographic lenses shall be accounted for as separate items of non-expendable property. Cameras turned in for action by a board of survey or transferred from one employee or office to another, shall be described in the accompanying papers so as to indicate clearly whether a camera box alone or both a box and lens are transferred. Detachable shutters will also be accounted for separately.

DISPOSAL OF PROPERTY BY EXCHANGE

4411. Authorization for Exchange.- Detailed information is given in Paragraphs 4121-4127 covering the disposal of property by exchange. Property may be disposed of by exchange only when specifically authorized by law. (See also Paragraph 3176.)

SALE OF PROPERTY

4421. Boards of Survey.-

Departmental Board of Survey.- The Secretary of Agriculture shall appoint a board of survey, composed of three members, one of whom shall be designated chairman, whose terms shall run for one, two, and three years, respectively, but thereafter their terms shall run for three years.

This board shall have three functions:

(1) to determine the disposition of all unserviceable or surplus property (other than real property) or materials in the Department at Washington, D. C.;

(2) to determine, after communication with the Procurement Division of the Treasury Department, the disposition of all surplus serviceable property or materials at field stations;

(3) to determine the disposition of all unserviceable property or materials at field stations having an estimated value in excess of $500.

Insofar as unserviceable or surplus property and materials in Washington, D. C. are concerned, this board will receive from chiefs of bureaus from time to time lists of property or materials in Washington which are unserviceable or surplus, inspect the same, determine disposition, after communication with the Procurement Division, and see that such disposition is made of such property or materials.

The procedure to be followed in determining disposition of property in Washington will be, after the inspection, to have such property listed, tagged, and exhibited, after notification to all bureau property officers, and then transfer

without charge to bureaus or offices such articles as may be desired, taking a receipt and attaching it to the turn-in papers.

Articles not transferred to bureaus or offices will be held in stock for a reasonable time, and if not needed by the Department, disposed of through transfer to the Procurement Division of the Treasury Department.

Insofar as surplus serviceable property and materials at field stations are concerned, this board will receive from field boards of survey, through chiefs of bureaus, recommendations concerning disposition, communicate with other bureaus and if such property or materials are not required by them, communicate with the Procurement Division. If no other Federal agency requires such property or materials, sale or destruction of them will be authorized.

Insofar as unserviceable property or materials in the field having an estimated value in excess of $500 are concerned, this board will receive from boards of survey at field stations, through the chief of bureau, recommendations regarding such property or materials, make such inspection, either personally or through deputies, as may be considered necessary, and determine disposition of it.

Boards of Survey at Field Stations.- Chiefs of bureaus shall appoint boards of survey, composed of three members if practicable but less if necessary, whose terms shall run as determined by the chiefs of bureaus. It shall be the duty of such boards:

(1) to inspect unserviceable or surplus property or materials;

(2) to determine disposition of all unserviceable property or materials having an estimated value not exceeding $500;

(3) to recommend to the departmental board of survey through the chief of bureau, disposition of all unserviceable property or materials having an estimated value in excess of $500;

(4) to recommend to the departmental board of survey in Washington, through the appropriate chief of bureau, the appropriate disposition of all surplus serviceable property or materials;

(5) to dispose of such property or materials in accordance with provisions of the authorization;

(6) to forward the net proceeds to the bureau chief for transmission to the Treasury Department to be credited to Miscellaneous Receipts.

After bureau chiefs and the departmental board of survey, respectively, shall have determined that serviceable property at field stations is surplus and no longer required by the Department, it will be reported to the Procurement Division of the Treasury Department, in triplicate, with a description, statement of the condition of the property, and estimated value of each item. All surplus serviceable property that is not desired by the Procurement Division for transfer to other departments or establishments of the Government will be cleared for disposition by the field board of survey.

When articles are to be sold, and after approval shall have been procured from the Procurement Division, the sale will be announced by notifying interested parties by letter, circular or poster.

No expense will be allowed for advertising in newspapers except by specific written authority of the chief of the division of purchase, sales, and traffic.

When property has been sold, the board of survey will pay all expenses,take receipts therefor, and remit the net proceeds to the chief of bureau for transmission to the Treasury Department to the credit of Miscellaneous Receipts.

It shall be the duty of each board of survey to see to the destruction of all property which it has condemned and ordered to be destroyed. At least one member of the board shall be present when the property is destroyed, and when property destruction has been effected shall make and submit to the chief of the division of purchase, sales, and traffic a certificate to that effect.

The transfer of property in the field from one bureau to another shall be made only upon the approval of the chief of the division of purchase, sales, and traffic.

Appropriate records are to be made and retained in every case involving the disposition of property and materials. (1852) (See also Paragraph 4422.)

4422. Disposal of Surplus Perishable Products.-

1. Ownership.- The ownership of products resulting from experiments or demonstrations undertaken by cooperative work shall be specified in the cooperative agreement and shall be on an equitable basis.

2. Disposal of Products Owned by Cooperating Agency.- Surplus perishable products owned by a cooperating agency shall be disposed of in accordance with the procedure outlined in

the cooperative agreement, or if none has been prescribed, in such manner as the local representative of the cooperating agency determines.

Funds.- Funds received from the sale of surplus perishable products owned by the cooperating agency are to be handled in accordance with the cooperative agreement, or, in the absence of one, as directed by the head of the cooperating agency or his representative. A detailed statement of all funds received from the sale of surplus perishable products, however, shall be given to the chief of bureau at least once a year.

Accounting.- A detailed record shall be kept of all surplus perishable products which are disposed of and a copy of such statement given to the chief of bureau at least once a year.

Sales.- Federal employees are prohibited from purchasing surplus perishable products even though they do not belong to the Federal Government; provided, however, such products may be purchased by employees for food purposes in quantities not to exceed the needs of their immediate households.

3. Disposal of Products Owned by Federal Government.-

Articles.- Perishable articles may be classified as: (a) those which are quickly perishable (e.g., milk, eggs, cream); (b) those which may be kept without deterioration for varying periods (e.g., potatoes, apples, live chickens).

Sales.- Perishable products, the value of which does not exceed $20, may be sold upon the order of the officer in charge of the station and without competition.

Competition through Advertisement.- If practicable, surplus perishable products having an estimated value in excess of $20 shall be sold by competitive bidding, but if the products to be sold render that procedure impracticable, surplus material may be sold for whatever it will bring.

Purchasers.- Employees of the Department are specifically prohibited from purchasing surplus perishable products even though no other purchasers may be available; provided, however, such products may be purchased by employees for food purposes in quantities not to exceed the needs of their immediate households.

Terms of Sale.- No surplus perishable products may be sold except for cash, i.e., currency, coin, postal or express money orders, cashier's checks, or certified check. Checks which are not certified may be accepted from purchasers of known responsibility; in such cases the employee making the sale is responsible for the check, however.

Accounting.-

(a) Funds.- Funds received from the sale of surplus perishable products belonging to the Federal Government shall be deposited within thirty days in the United States Treasury as Miscellaneous Receipts. The expenses of such sales may be deducted from the proceeds and only the net proceeds deposited in the Treasury. Charges for containers or for preparing the surplus products for sale will not be allowed, however.

(b) Records.- A record shall be kept of all surplus products owned by the Federal Government which are sold and a comprehensive statement submitted to the chief of bureau not less frequently than once a year.

Destruction. Surplus perishable products owned by the Federal Government which cannot be sold shall be destroyed. The destruction of such products shall be witnessed by the officer in charge of the station or his representative and a record made of it. (175) (See also Regulation 3119)

4424. Official Cotton Standards. Practical forms of the official cotton standards of the United States may be furnished to any person, subject to the conditions of, and upon compliance with, the rules and regulations of the Secretary of Agriculture under the United States Cotton Futures Act and the United States Cotton Standards Act. Moneys received from the sale of such forms and from the sale of cotton purchased for their preparation but condemned as unsuitable for that purpose may be expended for the purchase of other cotton for such use. (326)

4425. Maps and Publications of Weather Bureau: Reproductions of Aerial or Other Photographs, Mosaics, and Maps. Surplus maps or Publications of the Weather Bureau may be sold, and the money received from such sales shall be deposited in the Treasury of the United States as miscellaneous receipts. (679)

The act of February 16, 1938, 52 Stat. 31, provides that the Secretary may furnish reproductions of such aerial or other photographs, mosaics, and maps as have been obtained in connection with the authorized work of the Department to farmers and governmental agencies at the estimated cost of furnishing such reproductions, and to persons other than farmers at such prices (not less than estimated cost of furnishing such reproductions) as the Secretary may determine, the money received from such sales to be deposited in the Treasury to the credit of the appropriation charged with the cost of making such reproductions. The act further provides that this provision shall not affect the power of the Secretary to make other disposition of such or similar materials under any other provisions of existing law.

Responsible officers and employees should familiarize themselves with Memorandum No. 755 of the Secretary, dated May 11, 1938, concerning the sale of reproductions of aerial or other photographs, mosaics and maps, and other memoranda that may issue from time to time. (See also Regulations 1216 and 4427).

4426. Pathological and Zoological Specimens. Such pathological and zoological specimens as may be deemed to be of scientific or educational value to scientists or others engaged in

DEPARTMENT OF AGRICULTURE
WASHINGTON

February 15, 1939

AMENDMENT TO THE REGULATIONS

Amendment No. 86

There appears on the reverse side of this sheet, and addition to Regulation 4425, entitled "Maps and Publications of Weather Bureau." This addition is made for the purpose of including therein the provisions of the act of February 16, 1938, 52 Stat.31, which authorize the furnishing of reproductions of aerial or other photographs, mosaics, and maps as have been obtained in connection with the authorized work of the Department to farmers, governmental agencies, and to other persons at not to exceed the estimated cost of furnishing same.

The provisions of the addition to the Regulations of the Department are promulgated effective immediately.

The following changes and/or additions should be made in the Table of Contents and in the Index:

Table of Contents:

Change "4425. Maps and Publications of Weather Bureau"
To "4425. Maps and Publications of Weather Bureau; Reproductions of Aerial or Other Photographs, Mosaics, and Maps"

Index:

Add: "Mosaics, sale of - - - - - - - - - - - - - - - 4425"
"Photographs, aerial, sale of - - - - - - - - 4425"

Secretary.

January 6, 1940.

AMENDMENT TO THE REGULATIONS

Amendment No. 95

Regulation 4423 entitled "Card Index" has been eliminated from the Regulations. This Regulation provided for sale of card Indexes of Agriculture and Experiment Stations Literature; it is eliminated because these Indexes are no longer available for sale.

This revised sheet omitting Regulation 4423 should be substituted for the present corresponding page, and the following changes should be made in the Table of Contents and in the Index:

Table of Contents:

Cancel:

"4423. Card Index"

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Cancel:

"Card Index, sale of - - - - - - - - - - - - - - - - - - 4423"
"Sale, property - 4423"
"Property, sale of - - - - - - - - - - - - - - - - - - - 4423"

W. R. Wilson

Acting Secretary.

the work of hygiene and sanitation may be sold at cost to applicants, and the moneys derived from such sale shall be deposited in the Treasury as Miscellaneous Receipts. (512)

4427. Prints, Films, Etc.- Prints, films, lantern slides, transparencies, blue prints and forest maps may, upon application, be furnished from negatives in the possession of the Department, at a price to cover the cost plus 10 per cent additional, and the money derived from such sales shall be deposited in the Treasury as Miscellaneous Receipts. (170, 171)

4428. Samples, Etc.- Samples of pure sugar, naval stores, miscroscopical specimens, and other products may be furnished, upon application, to State and municipal officers, educational institutions, and other parties, and charged for at a price to cover the cost thereof, such price to be determined and established by the Secretary, and the money received from such sale shall be deposited in the Treasury as Miscellaneour Receipts. (173)

4429. Sale or Exchange of Animals.-Chiefs of bureaus are authorized to sell in the open market or to exchange for other livestock such animals as cease to be needed in the work of the bureau, but only after a board of survey has appraised such animals and such sales are not below the appraisal value. When in the discretion of the chief of bureau, no benefit would be derived from such condemnation and appraisal and advertising for competitive bids, such condemnation, appraisal and advertising are not required. (167, 511)

ABANDONMENT, CONDEMNATION, OR LOSS OF PROPERTY

4431. Sale or Abandonment of Property ***

1. Property in the possession of field parties may be sold after condemnation by the chief of party, if the cost of transporting it to the nearest field station or office which could utilize it would be greater than the price received for it. If it cannot be sold and the value of it at the nearest field station or office where it could be utilized would be less than the cost of transporting it to such field station or office, it may be abandoned. A certificate must be furnished by the chief of the field party in every such case, however, showing date, location of party when property was abandoned, location of nearest field station or office, approximate cost of transporting property to such station or office, estimated value of property, and statement that sale could not be made at any price * at the point where the property was abandoned. *

2. * Removable fixtures placed by the Department in a private building which has been rented shall be removed when the building is vacated unless the cost of removal would be greater than the salvage value of the fixtures. Removable fixtures shall not be abandoned when such abandonment might subject the Government to damage claims. Property records shall be adjusted when fixtures are abandoned. *

4432. Property Lost, Stolen, Destroyed, or Damaged Beyond Repair or Salvage

1. Whenever any property, either expendable or non-expendable is lost, stolen, destroyed, or damaged beyond repair or salvage, the employee who has custody of the property at the time will forward immediately to the chief of bureau or designated officer, through the employee against whom the property is charged on the property records, a certificate on honor showing (1) a list of the articles, (2) the circumstances attending their loss, damage, or destruction, (3) whether his fault or neglect or that of any employee was involved, and (4) if the property was lost or stolen, the action taken to recover the property.

2. Whenever in the opinion of the chief of bureau disciplinary action by the Secretary is warranted, appropriate recommendations to that end should be made.

ABANDONMENT, CONDEMNATION OR LOSS OF PROPERTY

4431. Sale or Abandonment of Property by Field Party.- Property in the possession of field parties may be sold after condemnation by the chief of party, if the cost of transporting it to the nearest field station or office which could utilize it would be greater than the price received for it. If it cannot be sold and the value of it at the nearest field station or office where it could be utilized would be less than the cost of transporting it to such field station or office, it may be abandoned. A certificate must be furnished by the chief of the field party in every such case, however, showing date, location of party when property was abandoned, location of nearest field station or office, approximate cost of transporting property to such station or office, estimated value of property, and statement that sale could not be made at any price.

4432. Property Lost, Stolen, Destroyed, or Damaged Beyond Repair or Salvage.- Whenever any property, either expendable or non-expendable is lost, stolen, destroyed, or damaged beyond repair or salvage, the employee who has custody of the property at the time will forward immediately to the chief of bureau or designated officer, through the employee against whom the property is charged on the property records, a certificate on honor showing (1) a list of the articles, (2) the circumstances attending their loss, damage, or destruction, (3) whether his fault or neglect or that of any employee was involved, and (4) if the property was lost or stolen, the action taken to recover the property.

Whenever in the opinion of the chief of bureau disciplinary action by the Secretary is warranted, appropriate recommendations to that end should be made.

4433. Disposition of Property Ordered Destroyed.- All articles ordered destroyed by a board of survey shall be separated into two classes, viz, articles that can and articles that can not be destroyed by burning. Property of the former class shall be immediately burned in the presence of a member of the board of survey; property of the latter class shall be immediately broken up, carried off to a public dumping place, and there deposited. In either case a certificate shall be filed showing that proper destruction has been effected. (1652, 1653, 1654, 1655)

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40	8-23	3143,3144
41	8-26	2124
42	8-26	2125
43	8-26	2146
44	9-14	1611
	1937	
45	9-14	1616
46	10-29	1681,1682,1683
47	10-29	3182
48	11- 5	3113
49	11- 6	3341
50	11-18	3319
51	11-27	3213
52	12-22	4121,4127
53	9-21	1522
	1938	
54	1-18	1675
55	2- 4	1573
56	2-18	1713
57	2-25	3142
58	5- 4	1544
59	5-12	1643
60	5-13	1111
61	6- 1	1838
62	6- 9	1579
63	7-23	3318
64	7-28	2812
65	8- 6	2561,2562
66	8-13	2511
67	8- 6	2512
68	8-16	2521
69	8-16	2522
70	8-11	1711
71	9-21	2114
72	9-22	3216,3217
73	9-23	1552
74	9-28	1726,1727,1728
75	10-21	3165,3166
76	11- 7	3213
77	11-10	1411,1412,1413
78	11-22	2512
79	11-22	2522
80	12-19	2911,2912,2913,2914
81	12-19	2921,2922
82	12-29	4122,4123,4124,4125, 4126
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83	1-14	1345,1346
84	1-14	4114
85	2-15	1216
86	2-15	4425
87	2-15	3191,3192
88	3- 7	1737
89	3-22	1731

No.	Date	Regulations Affected
	1939	
90	3-23	1712
91	5-25	1674
92	6- 7	3451
93	12-16	3438,3439
94	12-20	1533
	1940	
95	1- 6	4423
96	1-22	1621,1622,1623,1624
97	3-13	2541
98	3-21	1542
99	3-23	3181
100	3-23	3332,3333
101	4- 3	2411
102	7- 5	2821,2822
103	8- 5	2554,2555
104	8- 5	3214
105	11- 4	1616
106	11- 4	1523
107	11- 4	2532
108	11-12	3217
109	11-15	3491
110	11-19	1674
111	11-19	1112
112	11-30	3435,3436,3437,3451, 3452
113	12-11	1534,1537,1538,1539, 3119
114	12-11	1641,1647,1651
115	12-21	3333
	1941	
116	1-23	3165,3166,3167
117	2-12	Foreword
118	2-19	1543
119	3-26	2511,2512,2521,2522
120	3-28	1727
121	4- 9	3435
122	4-12	1621,1622,1623
123	4-16	1548
124	4-24	1611,1612,1613,1614
125	4-24	1661,1662
126	6- 4	1546
127	6-11	2163
128	7-23	3142,3143,3144
129	7-26	2211
130	8-16	4114
	1942	
131	2-19	3431,3432,3433
	1941	
132	9-11	2712
	1941	
133	9- 5	2711
134	9- 8	3434
135	9-16	2921,2922
136	10-31	1573
137	11-17	1576
	1942	
138	1-20	2211
139	2-19	2913,2914
140	3- 4	3113
141	3- 4	3111
142	3- 4	3142
143	3- 4	3181
144	3-20	1512
145	4- 1	3421,3422,3423,3424, 3425,3426,3427
146	4- 1	1113
147	7- 9	1522,1523,1580,2531, 2532,2561, 2562
148	7-15	1837,1838
149	7-25	3348,3435,4121
150	9- 1	3435
151	9- 3	3212
152	10-16	1423
153	10-23	4422
154	11- 5	1357
155	11-10	1911 thru 1917,4114, 4125,4126,4228
156	12- 5	3438,3439
	1943	
157	2- 8	3231
158	3-18	4221,4316,4317
159	3-20	3481,3482,3483
160	3-26	1711,1712,1714,3312
161	4- 9	1834,1835,1836
162	4-20	1579
163	5- 1	3423
164	5-26	1911,1912,1914,1917
165	6-15	3435
166	6-24	List of Obsolete Regulations and 2121,2157,2412
167	7-10	1114
168	8- 6	2157
169	8- 7	3172
170	8-13	4223,4224
171	8-25	3221,3222
172	9- 1	4121,4122,4123,4124 4127
173	9-15	3438
174	9-16	3182
175	10- 8	1512

No.	Date	Regulations Affected
176	12/2/43	1647
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No.	Date	Regulations Affected
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No.	Date	Regulations Affected
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No.	Date	Regulations Affected
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AMENDMENTS TO REGULATIONS

Amendment No.	Date	Paragraph Affected
1.	July 14, 1936	1652
2.	July 17, 1936	3434
3.	October 5, 1936	1661
4.	October 15, 1936	1512
5.	October 15, 1936	3422
6.	December 19, 1936	3347
7.	January 14, 1937	1535 and 1536
8.	January 16, 1937	3433
9.	January 19, 1937	1523
10.	January 19, 1937	2532
11.	January 19, 1937	3133
12.	January 28, 1937	1836
13.	January 28, 1937	4116
14.	January 29, 1937	1422
15.	February 4, 1937	1549
16.	February 16, 1937	2155
17.	February 19, 1937	1737
18.	February 27, 1937	3233
19.	March 3, 1937	2211 and 2212
20.	March 29, 1937	3417
21.	March 30, 1937	1122
22.	April 7, 1937	2163
23.	April 12, 1937	3434
24.	April 24, 1937	3113
25.	May 4, 1937	1711 and 1712

The reverse side of this sheet and the three additional sheets enclosed are for the convenience of employees who have copies of the Department Regulations. These four sheets should be inserted at the front of the Regulations, and record made thereon as amendments are received and inserted.

AMENDMENTS TO REGULATIONS
(continued)

Amendment No.	Date	Paragraph Affected
26.	May 8, 1937	1838
27.	May 8, 1937	4117
28.	May 8, 1937	3225
29.		
30.	May 25, 1937	4116
31.	June 17, 1937	3318
32.	August 2, 1937	2911
33.	August 2, 1937	2921
34.	August 2, 1937	2922
35.	August 2, 1937	2923
36.	August 2, 1937	2814 and 2815
37.	August 4, 1937.	1821
38.	August 21, 1937	3162
39.	September 21, 1936	3163
40.	August 23, 1937	3143 and 3144
41.	August 26, 1937	2124
42.	August 26, 1937	2125
43.	August 26, 1937	2146
44.	September 14, 1937	1611
45.	September 14, 1937	1616
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AMENDMENTS TO REGULATIONS
(continued)

Amendment No.	Date	Paragraph Affected
51.		
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AMENDMENTS TO REGULATIONS
(continued)

Amendment No.	Date	Paragraph Affected
76.		
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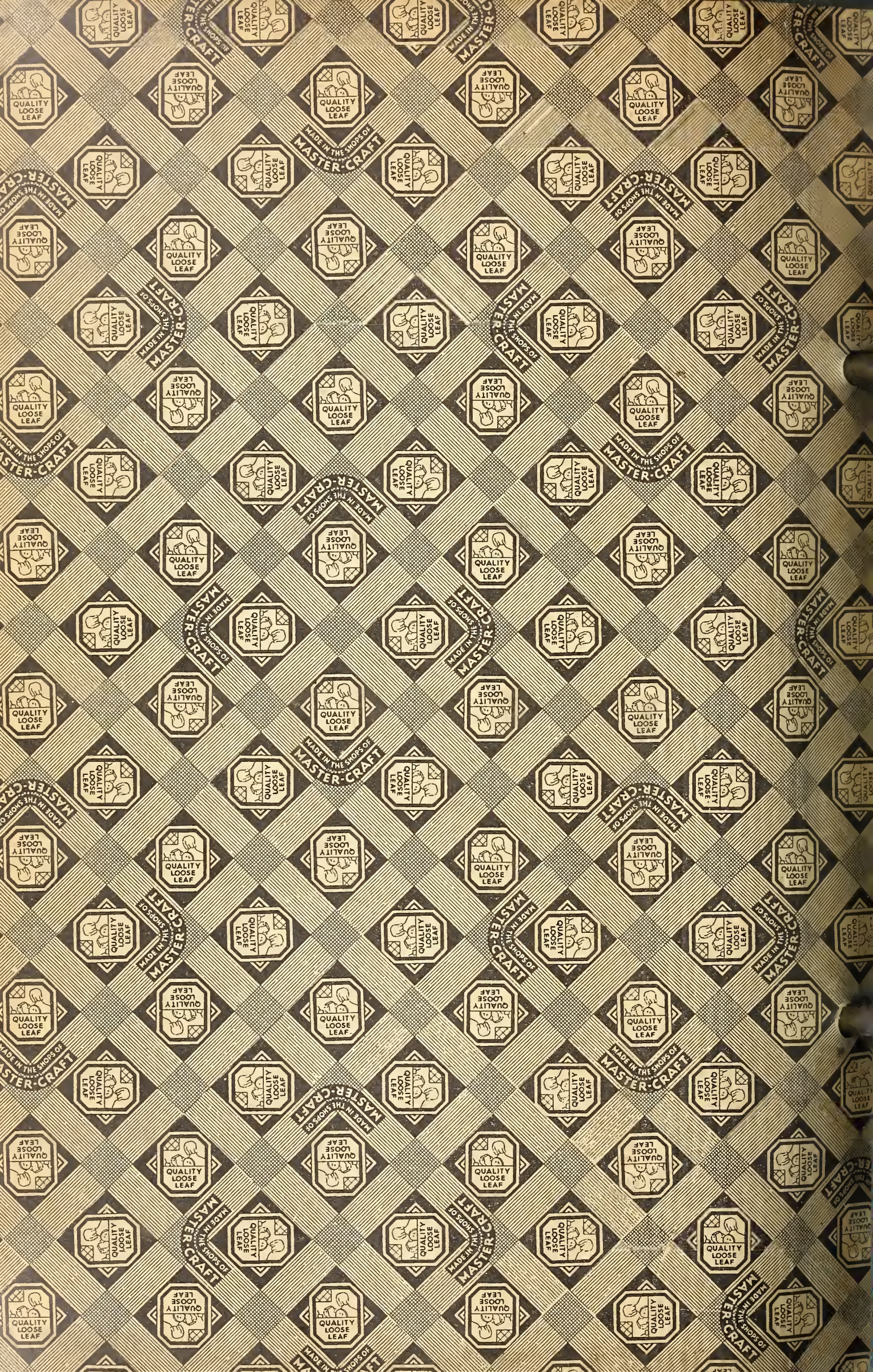
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